

1 42. ISSUE: DAVID HENDERSHOTT ARRANGED FOR GARCIA LOU WILLARD,  
2 A NEIGHBOR AND FRIEND, TO BE HIRED AS A FULL-TIME EMPLOYEE OF  
3 MSCO, AND FOR A PERIOD OF OVER THREE YEARS, SHE WAS PAID  
4 FULL TIME AND COLLECTED BENEFITS EVEN THOUGH SHE WORKED A  
5 FRACTION OF THE HOURS FOR WHICH SHE WAS COMPENSATED -  
6 SUBJECT: HENDERSHOTT  
7

8 **Chief Deputy David Hendershott**  
9

10 H37A. Allegedly, in approximately July 2007, Chief Deputy David Hendershott  
11 arranged for Garcia Lou Willard, a neighbor and friend, to be hired as an Office  
12 Assistant by MCSO and assigned to Internal Affairs as a transcriptionist. Ms.  
13 Willard was allowed to work from home throughout her employment with the  
14 County; and was paid for working 40 hours a week, 52 weeks a year, for a  
15 period of roughly 3 years and 2 months. Documentation reflects that, during  
16 this time frame, Willard was assigned only approximately 132 hours of audio to  
17 transcribe, which typically can be completed at a rate of 4 hours of transcription  
18 to each hour of audio recording. Ms. Willard was not given sufficient work to  
19 occupy the 8 hour per day shift for which she was compensated, in part because  
20 her work was substandard.  
21

22 H37B. Allegedly, Garcia Lou Willard was given special, unreasonable accommodation  
23 by not being required to visit MCSO offices at any time except the occasion  
24 when she completed pre-employment paperwork in or about July of 2007.  
25 Personnel as high as the rank of Lieutenant were provided with a garage door  
26 button to Willard's home, and dropped off audio CDs and picked up CDs of  
27 Willard's transcriptions that were left on a chair inside her garage. Supervisory  
28 personnel traveling to Willard's home also frequently brought back various  
29 presents for Hendershott, including food items and health drinks.  
30

31 H37C. Allegedly, Deputy Chief David Hendershott, on several occasions, subtly  
32 influenced Lieutenants, who were charged with the responsibility of completing  
33 Employee Performance Appraisals for Garcia Lou Willard, to prepare favorable  
34 evaluations of her.  
35

36 **DOCUMENTARY EVIDENCE**  
37

38 **Exhibit G2. Employee Time Sheets re: Garcia Willard**  
39

40 Loretta Barkell provided the employee timesheets for Garcia L. Willard from the pay  
41 period July 16 to July 29, 2007 through the pay period September 6 to September 19,  
42 2010. These time sheets cover a period, therefore, of approximately three years and  
43 two months. It should be noted that two of the time sheets, for the pay periods ending  
44 September 9, 2007 and December 16, 2007, could not be located by MCSO.  
45

1 These time sheets reflect that over the 3 year, 2 month period, Ms. Willard was paid 40  
2 hours a week, either in regular pay, holiday pay or other paid leave, and did not incur a  
3 single hour of absence or sick time. It was also noted that Ms. Willard did not sign the  
4 vast majority of time sheets. In fact, her signature appears on the line for the employee  
5 to sign on only two time sheets, for the period ending August 26, 2007 and September  
6 23, 2007, and the signatures appear to be different.

7  
8 **Exhibit P1. Spreadsheet re: Transcription Log for Willard, notated by IA Staff**  
9

10 This document is the transcription log maintained by Internal Affairs, reflecting the  
11 transcription assignments given to Lou Willard in the period from December 8, 2008, to  
12 September 16, 2010. At the request of the investigative team, Lieutenant Charles  
13 Siemens, the Administrative IA Lieutenant, conducted research to determine the  
14 elapsed times of the audio segments given to Lou Willard when times for the audio are  
15 not listed in the transcription log. He was able to determine that six of the tapes had  
16 come from the Organized Crime Division, and the length of the audio segments could  
17 not be determined. One of the audio segments related to an employee Legal  
18 Compliance issue, and the time of the audio could not be established. There is a series  
19 of seventeen listed audio segments under IA NO. 09-0070, and through research,  
20 Siemens was able to identify the duration of 15 of the 17 segments. It should be noted  
21 that two of the names were repeated, Gonzalez and Philpott, and may be duplicate  
22 entries in the transcription log, meaning that there were only 15 audio segments under  
23 DR No. 09-0070. Siemens was able to fill in the rest of the blanks in the column relating  
24 to the audio times, with one exception, when the subject of the recording was identified  
25 as Roland/Daugherty, for which there was no Internal Affairs Investigation.

26  
27 The bottom line is that the total time of the audio listed in the transcription log for Willard  
28 was about 124 hours. With the additional research conducted by Siemens, he was able  
29 to document an additional 8 hours, bringing the total time of audio assigned to Willard to  
30 132 hours. As reflected in the foregoing, there were a total of 8 audio assignments to  
31 Willard, shown in the transcription log, for which no audio length was listed, and  
32 Siemens could not determine the length of these 8 audio segments through  
33 independent research.

34  
35 **Exhibit P4. Email chain between Lt. Siemens and Garcia Willard re: FMLA**  
36

37 This documentation relates to the decision by Garcia Lou Willard to go out on FMLA,  
38 effective October 15, 2010. Kelly Grennan was already a participant in this email chain,  
39 and she reported having looked up the accrual by Garcia Willard of paid time off, which  
40 reflected that she had, as of October 18, 2010, 189.6 hours of accumulated sick pay  
41 and 263.25 of vacation pay.

42  
43 In an email dated October 18, 2010 Willard wrote to her supervisor, Lt. Charles  
44 Siemens, requesting October 18 off as a personal/sick day. Willard noted that she had  
45 never received any time off during her nearly 3.5 years of working for the office as a

1 transcriptionist telecommuter – she was assuming that the request to her supervisor via  
2 email was the appropriate means. Later in the day on October 18, 2010, Lieutenant  
3 Siemens emailed her back, advising that she had been transferred to the Personnel  
4 Services Division, and would be reporting to Personnel Services Commander Donna  
5 Farnsworth, rather than Lieutenant Siemens.

6  
7 **Exhibit Y3. Payroll Records – Garcia “Lou” Willard (Bates AI0004747-4651)**  
8

9 There are several documents under this exhibit number. The first are the payroll  
10 records for Garcia Lou Willard, collected by Holly Moore, MCSO payroll supervisor, from  
11 the pay period ending July 29, 2007 to October 31, 2010, which reflect that in the period  
12 from July of 2007 to September of 2010, Garcia Willard had no reported absences or  
13 payment with other than regular pay or holiday pay. The records do reflect that in  
14 October, after the commencement of this investigation, she took significant sick leave  
15 and, we understand, was on FML.

16  
17 The second document under Exhibit Y3 is the Internal Affairs transcription log from  
18 January 2007 through November 3, 2010. As has been discussed elsewhere in this  
19 report, the total time of the audio given to Garcia Willard for transcript was  
20 approximately 124 hours, although there were some entries reflecting that tapes were  
21 given to her for which there were no audio times listed. As has been discussed  
22 elsewhere, Lieutenant Chuck Siemens of IA conducted research and was able to  
23 resolve a number of these missing audio times and, based on Siemens findings, an  
24 additional 8 hours of audio time was found, bringing the total to 132 hours.

25  
26 The IA transcription log was sorted to include only entries relating to audio given to  
27 Garcia Lou Willard for transcription. This table reflects that in the period from July of  
28 2007 through September 16, 2010, a total of 124:30 hours of recorded interviews were  
29 provided to her for transcription, as has been discussed elsewhere.

30  
31 Another sorting of payroll information for Garcia Lou Willard, from the pay period ending  
32 July 29, 2007 through October 15, 2010, she was paid for 6,808 entered hours, less 256  
33 paid holiday hours, less 16 paid floating personal hours, which reflects a total number  
34 “working hours” of 6,536 hours. She has been paid \$11.71 per hour and therefore her  
35 total gross pay, using the total entered hours in the time frame in question, is  
36 \$76,536.56.

37  
38 **Exhibit FF7. Job Application Report of Garcia Willard, application date June 26,**  
39 **2007.**  
40

41 This document reflects prior employment with Devry University/ R. Willard from 1988-  
42 June 30, 2003 as a secretary. This appears to have been the second application  
43 submitted by Ms. Willard.  
44

**Exhibit FF8. Job Application Report for Garcia Willard, application date June 6, 2007.**

This job application of Lou Willard, also under job requisition no. 19407, appears to have been the first application submitted by Garcia Willard. It reflects one prior employer, as the owner/operator of Young's Art Gallery in Huntington, West Virginia from 1983 to 1987. The resume text accompanying the application submitted June 6, 2007 shows that she assisted (in an unpaid capacity) Devry University senior professor R.L. Willard (her husband) from 1988 to 2003 with typing and graphic design revisions of laboratory manuals.

**Exhibit FF9. Certification List of Eligibles, run date June 12, 2007, requisition no. 19407.**

This cert list is the copy returned by MCSO HR to Maricopa County Hr, showing disposition codes to the various candidates. Willard is not listed on this particular certification list for the Office Assistant position. This completed cert list bears the signature of HR administrator Gertrude Jackson, September 4, 2007, of MCSO HR.

**Exhibit FF10. Certification List of Eligibles, run date July 3, 2007, requisition no. 19407 (re: Garcia Willard)**

This is the second certification list for the Office Assistant position under this requisition number. The name of Garcia Willard does not appear on this certification list. This again is the list completed by MCSO HR and returned to Maricopa County HR, reflecting the disposition of contacts with the various candidates. It was signed by Gertrude Jackson of MCSO HR on November 6, 2007.

**Exhibit FF11. Certification list of Eligibles, run date July 6, 2007, requisition no. 19407 (re: Garcia Willard)**

This certification list did reflect the name of Garcia Willard, who was apparently hired off this particular list. MCSO HR did not return to Maricopa County HR the completed cert list, reflecting contact with the candidates. Maricopa County HR does report that there were two candidates hired off this cert list, Violet Aird and Garcia Willard.

**Exhibit RR10. Email through Loretta Barkell from Gertrude Jackson Concerning Certification Lists for Garcia Lou Willard (received from Barkell 1/11/11)**

**Exhibit W16. Personnel File – Garcia Willard (Bates AI0002631-2687)**

**WITNESS ACCOUNTS**

**Karen Andrews**

1  
2 Ms. Andrews indicated that in approximately July 2007, she was contacted by Chief  
3 Deputy David Hendershott, who asked her to oversee assisting Lou Willard with gaining  
4 employment with MCSO. Hendershott characterized Lou Willard as a personal friend,  
5 who he knew privately outside of the office, had recently lost her husband and was in  
6 need of employment and medical insurance. In no uncertain terms, according to Ms.  
7 Andrews, Hendershott's "direction was that we were to get her hired, that she had  
8 transcription skills, and would be working for Internal Affairs once we got her on board."  
9 By the time Andrews spoke with Hendershott, Willard had not yet applied for  
10 employment with the county. It was Andrews' responsibility, in accord with instructions  
11 from Hendershott, to help her apply for a position. Andrews had to make contact with  
12 Willard, and see to it that she knew what equipment would be required. Andrews is not  
13 aware of Willard having been interviewed by anyone prior to the time that she was hired  
14 by MCSO.

15  
16 With Willard's name and telephone number, Andrews contacted Willard and let her  
17 know that she would be assisting Willard. In their conversation, Andrews walked Willard  
18 through the process, but did not physically meet with Willard until later, when Willard  
19 came downtown to complete hiring paperwork.

20  
21 Willard submitted the application online, with Andrews' assistance. Willard indicated  
22 that she had been a clerical assistant to her husband for a number of years, and that  
23 her husband had been a professor at DeVry. She also indicated that she had a  
24 background in art. She did not indicate whether the work for her husband was in a paid  
25 capacity.

26  
27 Andrews acknowledged that Willard had completed two on-line applications. Records  
28 reflect that the first application did not show any employment or her work with her  
29 husband, but rather showed her as operating an art gallery. Andrews explains that  
30 Willard had problems the first time she prepared the on-line application, and had to go  
31 back in and redo it. Prior to the second on-line application, Andrews explained to  
32 Willard that she needed to put in her experience working for her husband. This second  
33 conversation with Willard, where Andrews helped her with the second on-line  
34 application, came after Willard had talked to Chief Hendershott and then she called  
35 Andrews seeking further assistance. Willard did not say what had occurred in this  
36 conversation with Hendershott. Andrews indicated that the first application she  
37 submitted did not show her experience, which "would make it kick out," and she would  
38 not appear on a certification list. Ms. Andrews could not recall if the conversation, prior  
39 to the submittal of the second on-line application, took place after a certification list had  
40 been issued and Willard's name was not on the cert list. Andrews could not say  
41 whether or not the second application was submitted because Willard's name had not  
42 been placed on the list of certified eligibles.

43  
44 After the second on-line application, Willard was placed on a certification list, and at that  
45 time Willard came down to the office. Andrews walked her through various locations,

1 completing Willard's paperwork. Andrews let IA Cpt. Jimmy Miller know that Willard  
2 would begin her transcription duties in July, and Willard's formal hire date was July 16,  
3 2007. It was understood that all of Willard's work would be at her home, and that she  
4 did not feel able to work in the office. Chief Hendershott had told Andrews that Willard  
5 needed to work directly from home. Andrews believes that Cpt. Miller assigned to staff  
6 the process of how they were going to disks for transcription to her home and then pick  
7 up the work product. Someone from IA was going to basically function as a courier.

8  
9 Willard worked in that capacity from July 2007 until November 2010, when Maricopa  
10 County had given MCSO HR a directive that they needed to figure out all of their  
11 position numbers and the duties that were involved. At that time, Deputy Chief Terry  
12 Young was in charge of IA, and did not feel that Willard had enough work to do at home,  
13 therefore MCSO HR looked at where they could place her so she could continue  
14 employment. An open position was found in Personnel Services as a Receptionist, and  
15 Willard, as of the time of the interview, was working in that capacity.

16  
17 According to Andrews, at first, Willard was very leery about coming into the office to  
18 work and said that she had spoken to Hendershott about the fact that MCSO HR was  
19 making her come in to the office. A further reason that they looked to bring her in to an  
20 office environment is because Andrews was asked by Chief Young to find out exactly  
21 how many disks over what period of time she had done within the prior six months,  
22 because she was being paid a regular salary. Andrews did this research, and conferred  
23 with Sharon Machado at IA. The bottom line was that Willard was "not transcribing  
24 hardly anything...." (p. 9, Andrews transcript) Andrews indicated that she had never  
25 talked with Willard about the level of work that she had completed before she was  
26 transferred to Personnel Services.

27  
28 Andrews advises that she had spoken with Chief Hendershott on approximately three or  
29 four occasions about Lou Willard. There were subsequent conversations, after the first  
30 occasion when Andrews was instructed by Hendershott to get her hired and on board.  
31 In the subsequent conversations, Hendershott wanted to know if Andrews had taken  
32 care of Willard, and she assured him that she had done so. After she started work for  
33 IA, Hendershott told Andrews how much he appreciated what she had done Willard and  
34 they did not discuss the matter again.

35  
36 Andrews indicated that she also, in the process of having Willard complete her  
37 paperwork, contacted Personnel Services, particularly Donna Farnsworth, the  
38 Commander, and let her know that Andrews had Lou Willard with her. Donna  
39 Farnsworth came to HR and got Willard personally. According to Andrews, Donna was  
40 aware that it was important that they get Willard "processed per Chief Hendershott." (p.  
41 10, Andrews transcript).

42  
43 Andrews advises that she never received feedback from IA about the quality or quantity  
44 of her work. The only feedback that Andrews had received from Personnel Services is  
45 that they had to "walk her through everything" and that when Willard started to work for

1 the county, she had some medical issues and could not walk very far. Andrews  
2 indicated that she did not have the information about Willard's job performance until she  
3 had requested information from Officer Machado, in accord with instructions from  
4 Deputy Chief Terry Young.

5  
6 **Travis Anglin**

7  
8 Anglin indicated that he came to IA the summer of 2006. He described Lou Willard as a  
9 naïve, elderly woman, and in connection with the subject allegation, if there was any  
10 wrongdoing, there was no culpability on her part. (It was obvious that Anglin had  
11 developed a fondness for Ms. Willard.) According to Anglin, Lou Willard's husband,  
12 Roger Willard, who died before Anglin got to know Lou, was a friend with Dave  
13 Hendershott for over twenty years. Anglin understood that Roger Willard had died in  
14 the winter of 2006 or the spring of 2007. Anglin went on to describe his conversations  
15 with Hendershott relating to Willard.

16  
17 ....[W]e had a conversation and I'm trying to remember whether some of these  
18 conversations were in person or in, over the phone and I can't tell you, but, he  
19 told me that there was a woman named Lou that had lost her husband and needed  
20 something to do. She needed a job. Now, one, I think she needed the job because  
21 she probably needed some income and she probably needed health insurance,  
22 were both conclusions that I came to that he didn't tell me, hey, she needs money,  
23 or she needs health insurance, but more to the point of she needed something to  
24 occupy her time because she is the, was the primary caregiver for Roger. And so  
25 that was a full-time job for her, and then when he died she took it very, very hard,  
26 and now all of a sudden had nothing to do, and I know that the Chief was  
27 sincerely concerned for her well being. So, he felt that, well, let me check that, I  
28 don't want to put words in his mouth. So, he provided her with a job as a  
29 transcriptionist and she was going to report directly to me. (p. 23, Exhibit II3a)

30  
31 Anglin thought that Kathy Ellis, may have been laid off, and had been doing some  
32 transcriptions for IA, but as Anglin framed it, "I'm not naïve, I felt that this job was  
33 created for Lou." (p. 23, Exhibit II3a) Travis did not believe that Willard had ever done  
34 transcription before.

35  
36 Around the time of her initial employment, Travis went to her home and met with her.  
37 When I asked if he went there at Hendershott's instruction, Anglin's response was that  
38 Willard was his employee, and was told that he would be supervising her, and she  
39 would be working from home. When asked if Hendershott indicated that Travis would  
40 be personally supervising her, Anglin's response was as follows.

41  
42 Without question, and to the point of we talked about her personally, and about  
43 some of her personal traits and characteristics and I was going to handle her with  
44 kid gloves and, not that I wasn't supposed to supervise her or discipline her or  
45 anything like that, but again, she's, you know, she's, she's a, a naïve elderly

1 woman. I think the world of her, I'll make that clear, but, she was being exposed  
2 to an atmosphere that she, was completely contrary to anything she'd ever been in  
3 before, so I was to be patient with her. (pp. 24-25, Exhibit II3a)

4  
5 Anglin did not know whether she had functioned in a secretarial or clerical capacity in  
6 prior employment. He did believe that she was a renowned artist. When asked whether  
7 he considered it unusual to having a Lieutenant supervising a transcriptionist, Anglin's  
8 response was as follows.

9  
10 A little bit. The organizational chart in Internal Affairs was fluid, you know, it, it  
11 changed often, but, there were times when, when I was the Lieutenant in the  
12 Administrative side of Internal Affairs. I just kind of supervised everybody.  
13 When we had a, an Administrative Sergeant a couple of different times, and there  
14 were times where we felt that the Sergeant we had in there was capable of  
15 supervising the, the office pool. There were times we thought that they weren't so  
16 everybody just reported to me, so, because this isn't a, a large division, we're  
17 talking ten people or so, that part wasn't so unusual, that I supervised her directly.  
18 But, that's not why I supervised her directly. I supervised her because, you know,  
19 she needed attention.... (p. 25, Exhibit II3a)

20  
21 Anglin went on to describe his relationship with Lou Willard.

22  
23 You know, it's kind of like when your mom calls and, you know, you got  
24 everything else in the world that you could be doing, but having this conversation  
25 with mom right now, but, you just, you can't rush her off the phone, it's the same  
26 thing, you know. Lou needed some attention and, and I was doing a bigger,  
27 serving a bigger purpose by supervising her. I, I'll say this and I, whether you  
28 interview her or not, you know, this is my speculation, but, I, I would just ask that  
29 you not share this back with her, if you have a conversation with her, but I think  
30 the Chief, he didn't tell me this, but, I, this is the impression I got, I think the  
31 Chief was probably worried about her taking her own life, because she was so  
32 distraught with losing her husband. And so, I felt this responsibility to be there  
33 for her. As a result, I came to adore her and we became friends. And with that  
34 being said, I've physically seen her two times. I, I think that she may have  
35 suffered from a little bit of agoraphobia, you know, she didn't leave the house  
36 much and things like that. So, I met her, I went to her home and I met her one  
37 time. She didn't even let me in the house. I've never been inside of her house.  
38 We stood in the garage and this conversation. And then, as I would bring her  
39 work, I would bring her DVDs of interviews to transcribe. She had a chair in the  
40 garage and I had a garage door opener and I would pull up to the house and I'd  
41 open the garage and I'd set it down on the chair, and on the chair would be the  
42 previous disk that I had left, some three by five disks with the transcription on  
43 them and a box of cookies for me, or, you know, peanut butter or, you know,  
44 whatever she thought that I needed at that point. I will also say, and I know that  
45 this isn't to the point that you're investigating, but, although she wasn't a



1 transcriptionist by trade, she made every effort and spent, you know, a lot of her  
2 own money on computers and better headphones and foot pedals and all of these  
3 things and, and she made every effort to try to improve her ability to do the job.  
4 (pp. 25-26, Exhibit II3a)

5  
6 One of Travis' visits came when Lou Willard indicated that someone had given her a live  
7 Christmas tree, which she did not want, and she wanted Anglin to pick it up and give it  
8 to her daughter. Anglin advises that he was the person responsible for dropping of her  
9 work at her home. Travis believed that he supervised her from the beginning of her  
10 employment, starting in July of 2007, until he was transferred out of the division, in he  
11 believes, December of 2008 (which is consistent with the supervisor signatures on the  
12 timesheets).

13  
14 When asked on how many different occasions he had taken work out to Willard, Anglin  
15 said that it was as often as he had it and as often as he could do it. They had a full time  
16 transcriptionist that worked within the division, and Kathy Ellis also worked part-time.  
17 Travis acknowledged that he might not have taken work to her every day, but he  
18 estimated that he did take work at least once a week where he was either dropping off  
19 or picking up work. She did not only do IA work, but also criminal cases or MACE  
20 cases, and Travis would walk around the 18<sup>th</sup> floor asking if anyone needed  
21 transcriptions done.

22  
23 It was Lou Willard who gave Travis the garage door opener. The team asked him why  
24 he had such a bizarre arrangement with Ms. Willard, that he would drop off and pick up  
25 items on a chair that was in her closed garage. Anglin's response was a follows.

26  
27 Because whatever the Chief had told her about me, she just accepted. He  
28 obviously told her nice things about me and that she could trust me and that I'm a  
29 friend and she would often tell me that she had heard that I was one of the greatest  
30 Homicide Investigators to ever do an investigation, you know, and I don't believe  
31 that to be true, but I think that the Chief was probably saying, 'oh, this guy's  
32 great, this guy's going to be Captain, this guy's going to be a Chief', and just  
33 really build me up to her so that she would be comfortable and open up to me.  
34 She didn't, she certainly wasn't able to come down to the office everyday and  
35 drive to work, she wasn't able to have that kind of schedule, so I was told she'd  
36 be working from home and, you know, I think that she just didn't want to get  
37 made up to see me every time I showed up and have a conversation and stuff, so,  
38 I'm picking up or dropping off first thing in the morning and, and on my way  
39 home at night. So, just to, you know, to expedite the stuff, it was left out in the  
40 garage. (p. 28, Exhibit II3a)

41  
42 Anglin claimed that she lived at [REDACTED] which was on his way  
43 home to and from work, insofar as Anglin resides in the [REDACTED] near [REDACTED]  
44 [REDACTED]  
45

1 We reviewed the timesheets for Ms. Willard from July of 2007 through September 2010,  
2 and these sheets reflected she had been paid 80 hours for every pay period over the  
3 entire three years and two month period. Anglin was asked whether he had reason to  
4 believe that she had worked 80 hours in every pay period in the last three years, and he  
5 was equivocal, saying that he could not quantify it. As Anglin put it, he never felt that he  
6 was in a position to question it. He considered Ms. Willard to be a full time employee,  
7 and she would get 40 hours a week. They did not try to be specific about her actual  
8 hours, therefore put on the timesheets that she worked from one time in the afternoon,  
9 knowing that she kept odd hours. Lieutenant Anglin acknowledged that it "created  
10 some concern" for him for the year and a half that he supervised her, but that was why  
11 he made every effort to walk the floor to constantly have work to get to her so there was  
12 never a time where she went an entire week without having any work to do.

13  
14 Anglin indicated that as far as he knew, she had some work to do every week. He did  
15 not believe that she did any other work for the Sheriff's Office besides transcription. He  
16 was also not aware of her having done any work directly for Chief Hendershott. He did  
17 not believe that all the work that she had done is reflected on the transcription logs  
18 maintained in IA. The team asked Anglin if he would have us believe that Willard was  
19 working 40 hours a week, and getting sufficient work to work 40 hours a week, during  
20 the time that she worked for him, and he acknowledged that that was not the case. We  
21 asked what he believed she was working in that time frame that he supervised her.  
22 Anglin's answer was as follows.

23  
24 I would answer that question in two, well, a couple parts. One, I just don't know,  
25 I mean, there's just no way for me to know. I dropped the work off and, you  
26 know, there was kind of, I wouldn't necessarily drop it X CD off and the next  
27 time I go there I'd pick X CD up, you know, there was kind of, I dropped one off  
28 and I'd pick a different one up, you know, I never did an analysis about how long  
29 it took her to complete each report. So, there was no way for me to qualify that,  
30 no way for me to give a truthful answer on that. And I will also say that there's  
31 probably times where she took a lot longer, with respect of transcription, to fill  
32 that time. Not necessarily cause she's trying to get her hours in, but, because she  
33 was slow in doing it. (p. 31, Exhibit II3a)

34  
35 Willard was not as skilled as Teresa Turgon, the primary transcriptionist in IA, in terms  
36 of accuracy, and Travis had fielded complaints about the accuracy of her work. He also  
37 believes that he personally had at time found her transcriptions to be inaccurate.  
38 According to Anglin, he had conversations with her about that, and she strove to  
39 improve the quality of her work, but it was not on par with the other transcriptionists.

40  
41 According to Anglin, the timesheets were completed by the Administrative Sergeant in  
42 IA. Willard was not required to report what hours she was working and how many hours  
43 she put in day. When asked if she was held accountable for the hours that she actually  
44 worked, Anglin's response was as follows.

1 No, I held her accountable for just, for work, you know, I'd give her work to do  
2 and make sure that it got done, that's about the extent of it. (p. 32, Exhibit II3a)  
3

4 Anglin thought that Sergeant Brianna Armstrong was the Administrative Sergeant who  
5 actually completed Willard's timesheets. Anglin himself acknowledges having signed  
6 about ten of the timesheets as supervisor, in the period from July of 2007 to December  
7 of 2008. He also acknowledges that he may have completed her timesheets and that  
8 Sergeant Karla Love may have also completed or signed some of the timesheets,  
9 insofar as she was the Admin Sergeant before Brianna Armstrong.

10  
11 The team asked Anglin what the significance was of the supervisor's signature on the  
12 timesheet. His response, and subsequent inquiries by the team, were as follows.  
13

14 Q: Alright. What's the significance of the Supervisor's signature on the  
15 timesheet?  
16

17 A: I know it is supposed to be the employee has signed it, acknowledging that  
18 it's truthful and accurate and that we've, you know, basically verified it or, you  
19 know, can attest to its accuracy.  
20

21 Q: And did you, by placing your signature on the timesheet of Lou Willard,  
22 were you verifying the accuracy of the information it contained on those  
23 timesheets?  
24

25 A: I was not.  
26

27 Q: Alright. What did your signature accomplish?  
28

29 A: That Lou Willard had a fulltime job and that I provided her with work. I  
30 mean, but, obviously, this is probably the only area in this entire investigation  
31 where I kind of feel like I could have done better, you know, there were things  
32 that, that I could have done more appropriately. And it's very convenient in my  
33 chair right now to say, but, Chief Hendershott, but that's the case, you know, I  
34 worked for the Chief, this is a personal friend of his that needs to be taken care of,  
35 and, and she was....  
36

37 Q: Alright. Just so that we're clear about this, Travis, you're indicating today  
38 that your signature on the timesheets doesn't reflect that you're confirming that  
39 she had actually worked the hours for which she was compensated, is that correct?  
40

41 A: It is. That's a correct statement.  
42

43 Q: Alright. The truth of the matter is, you really didn't have any  
44 understanding as to how many hours she was actually working?  
45

1 A: I didn't.

2  
3 Q: Cause she didn't provide any accounting for that?

4  
5 A: Correct. Nor did I feel that, you know, I could raise those concerns.

6  
7 Q: Did you have to explain to Sergeant Armstrong and Sergeant Love what  
8 the, what the story was here? I mean, because they've also signed timesheets.

9  
10 A: Sure. (pp. 32-33, Exhibit II3a)

11  
12 Anglin indicated that he had explained to Sergeants Armstrong and Love that Willard  
13 "gets 40 hours a week." (p. 34, Exhibit II3a)

14  
15 Anglin did not believe that he needed to explain to Lieutenant Paul Ellis, Anglin's  
16 successor in IA, what the arrangements were with Willard; rather, Anglin believes that  
17 Chief Hendershott did so. Anglin does recall talking to Hendershott, and asking whether  
18 Hendershott wanted Anglin to take Lou Willard to District 2, to which he was transferring  
19 in December of 2008, because there were Detectives there who needed transcriptions,  
20 and because Anglin knew he so well, but Hendershott said that she would stay in IA and  
21 work for Paul Ellis.

22  
23 The team informed Anglin that we knew that there were transcription logs that went  
24 back to prior to the time Willard started working for the County, and that the information  
25 that we had received at that point in time, from IA, was that she had received 124.5  
26 hours of audio in the three years and two months that she had been employed by the  
27 Sheriff's Office, and that IA had estimated that it takes basically four hours of  
28 transcription time to every hour of digital time, which Anglin did not find inappropriate.  
29 We also informed him that she had been paid in the neighborhood of 6,800 hours in this  
30 timeframe, and that using the multiplier of four hours, she had been basically given 500  
31 hours of work, and therefore there were over 6,000 hours for which there could be no  
32 account. The team asked Lieutenant Anglin for his impression of these statistics, and  
33 Anglin's response was as follows.

34  
35 I'll stipulate to them. With the caveat of I don't know that that four hour  
36 multiplier is all, is necessarily reflective of her abilities. I would give her, maybe  
37 the benefit of the doubt of extending that, and I would give her the benefit of the  
38 doubt of me giving her work that wasn't on the transcription log. I don't believe  
39 with, you know, stipulating to what you've told me, that that still adds up to the  
40 amount of hours that she's been paid for. (p. 36, Exhibit II3a)

41  
42 He agreed that it was probably the case that the work that she was given added up to  
43 something significantly less than the hours for which she had been compensated. As  
44 Anglin put it, "I'll tell you, again, this is to my fault, I've never had this thought process  
45 when I was supervising her, I didn't break it down and look at it like that, I don't know."

1 (p. 36, Exhibit II3a)

2  
3 The team asked Anglin whether he had ever expressed any concerns to Chief  
4 Hendershott about the fact that she was receiving compensation for work that she did  
5 not do. Anglin's response was as follows.

6  
7 I didn't and I'll tell you, this is more of an admission than, than anything. I don't  
8 know that I really thought about it, to be honest with you. I should have. I should  
9 have, it should have jumped out at me. I can tell you that with everything else,  
10 the responsibilities that I had I kind of felt like if I dropped off work that, okay,  
11 that's one thing off my checklist, then I could focus on other things. It, the  
12 relationship progressed more, that it was just kind of somebody that was a, almost  
13 a caretaker too. So, I didn't articulate that to the Chief, but I tell you, I don't  
14 know that I ever really broke it down and, and thought about the way that I wish  
15 now that I have. (p. 36, Exhibit II3a)

16  
17 Anglin acknowledged in the interview that he did not have any concerns, particularly any  
18 ethical, moral or policy concerns about her being compensated for work that she was  
19 not performing. He added, "I was very clear as to the fact why she was even in the  
20 employment of this office" (pp. 36-37, Exhibit II3a), and when asked what he understood  
21 to be the reason why she was so employed, Anglin's response was "because the Chief  
22 wanted her to be, the Chief wanted her to have a full time job...." (p.37, Exhibit II3a)

23  
24 Anglin could not say whether anyone, including the Sergeants, Brianna Armstrong or  
25 Karla Love, had ever expressed concerns about signing the timesheets, knowing that  
26 Willard had provided no accounting for time, or had expressed concerns that Willard  
27 was not actually doing the work for which she was receiving compensation. He could  
28 not say whether either Brianna or Karla were uncomfortable, but had they expressed  
29 such discomfort, he would have allowed them to refuse and probably would have signed  
30 the timesheets himself.

31  
32 We discussed on November 17, 2010, in a supplementary interview, the Employee  
33 Performance Evaluations (EPAs) that had been completed by Travis Anglin for Lou  
34 Willard. There are two EPAs, both dated the same day, with the cover sheet of one  
35 exactly the same as the cover sheet for the other. However, in the second sheet of the  
36 first EPA, of the six categories, Garcia had been rated with "improvement needed" in  
37 five categories, and "unsatisfactory" in one category. In the second sheet of the second  
38 EPA, Garcia was rated with "excellent" in four categories and "satisfactory" in one  
39 category. Anglin had no clear explanation for why the evaluation had been redone. He  
40 did mention that, at one point he had completed a group of EPAs for employees,  
41 including Willard, and the Administrative Bureau was asserting they did not receive  
42 them, so he redid the EPAs and gave them to Lyzandra, Hendershott's administrative  
43 assistant.

44  
45 Anglin also noted that the first rating sheet had been improperly prepared, insofar as it

1 had negative major ratings, but positive sub-ratings in the various categories, which  
2 does not make sense. He believes that in the first one he had made errors in the major  
3 category ratings, insofar as he had given Willard "pluses" in the sub-categories for the  
4 negative ratings, and therefore the major rating "improvements needed" and  
5 "unsatisfactory" were simply inappropriate and inconsistent with the sub-ratings. Anglin  
6 had no recollection of anyone contacting him and telling him that he had performed the  
7 first EPA incorrectly. He does believe that someone did contact him and indicated that  
8 they had not received Lou Willard's EPA. Anglin acknowledged that both of the  
9 performance evaluations did not appear to be accurate or consistent with his present  
10 recollection about her performance.

11  
12 He denies having been contacted by Lyzandra Ovist or Chief Hendershott, or anyone  
13 working under Chief Hendershott, and told that the first EPA was going to have to be  
14 redone. He also denies that, prior to the time that he prepared the EPA, Hendershott  
15 had called him into his office or spoken to him about completing the EPA for Willard.

16  
17 Anglin went on to describe the extent of the familiarity between Hendershott and Lou  
18 Willard.

19  
20 .... Any time that I ever spoke to Chief Hendershott about Lou would be about  
21 personal notes, you know, he would, because he had known her for so many  
22 years, he, he knew things about her that, you know, he would say, hey, if you go,  
23 you know, I forget, Jack in the Box or Burger King, but he says, hey if you go  
24 take her to this fast food restaurant, it's her favorite, you know, make her feel  
25 important, and, you know, he would give me little tips, much like somebody  
26 would give tips about hey, you know, go buy your wife flowers because it'll make  
27 her feel good. He would tell me things, hey, you know, next time you talk to Lou,  
28 you know, tell her this and it'll make her feel important and really make her feel  
29 like part of the team. So, we talked about personal things. You know, when I, I  
30 told you that when I would go pick up or drop off work from her, that she would  
31 leave me peanut butter or a bag of socks, you know, just like my mother does.  
32 You know, sometimes she would leave similar things, there'd be two jars of  
33 peanut butter there, one for me and one for Chief Hendershott, and so, I'd have,  
34 you know, I'd literally have a box of goodies and I'd take them up to the Chief  
35 and I'd put them on the table, we'd just kind of laugh and, you know. So, any  
36 relate, or any conversations about my relationship with Lou were along those  
37 lines. (p. 8, Exhibit II3b)

38  
39 With respect to the two EPAs, Anglin is not sure that he completed both of them, even  
40 though he does not disagree that they were found in her Human Resources file, which  
41 would suggest that he had prepared them.

42  
43 **Brianna Armstrong**

44  
45 Brianna Armstrong was the Administrative Sergeant in IA for a two year period, from

1 August of 2006 to August of 2008, when she transferred to the Durango Jail. During  
2 this time, she functioned as the Administrative Sergeant, and reported to Captain Miller  
3 and the Lieutenants, who she believed to have been Travis Anglin and Bruce Tucker.  
4 She was also in charge of the transcriptionists. According to Armstrong, in the time  
5 frame when Lou Willard started working as a transcriptionist, there were three  
6 transcriptionists, Teresa Turgon, Kathy Ellis, Lieutenant Paul Ellis' wife, and Lou Garcia.  
7 When Brianna had started working in IA in August of 2006, the transcriptionists were  
8 Teresa and Kathy, and then she was told that another transcriptionist had been hired.  
9 She believes that she received this information from Travis Anglin.

10  
11 According to Brianna, Teresa Turgon was always in the office, and there was a  
12 transcription log that was used to record which tapes had been given to which  
13 transcriptionist. (As discussed elsewhere, we obtained copies of the transcription logs.)  
14

15 According to Brianna, the Detectives on the admin side or the criminal side would give  
16 audio files of interviews to Brianna on CDs. According to Brianna, there was another  
17 Admin Sergeant, Sergeant Karla Love, with whom she split duties. Karla was "bouncing  
18 back and forth" between MACE and Criminal IA. The Detectives would give the CDs to  
19 either Brianna or Karla. The bottom line is that the CDs ended up in Brianna's control.  
20

21 According to Brianna, if the audio recordings were connected with a high priority  
22 investigation and needed to be done quickly, they would usually be given to Teresa, and  
23 if they were not high priorities, they would give them to Lou Garcia. Paul Ellis' wife  
24 eventually was released, before Brianna left IA, leaving just two transcriptionists, and  
25 before Kathy Ellis left, she would not get as much work as Lou Garcia, because Lou  
26 was working full time and Kathy Ellis was working part time. Brianna would enter into  
27 the transcription log information about the cases.  
28

29 According to Brianna, Travis Anglin picked up and dropped off work at Lou Willard's  
30 house. When she had work for Lou, Brianna would give it to Anglin, and he would take  
31 it to Mrs. Willard. When Travis moved to MACE, Travis continued to be the point of  
32 contact with Lou Willard. Travis had indicated that there was a relationship between  
33 Lou Garcia and Chief Hendershott. According to Brianna, Anglin made reference to the  
34 fact that Willard's deceased husband knew Hendershott, that she was a famous painter,  
35 and that after her husband passed away she needed a position with medical benefits.  
36

37 At no time had Brianna, who was responsible for the transcriptions which the  
38 transcriptionists did, ever talked with Lou Willard; rather, Willard called Travis directly on  
39 his cell phone. Furthermore, Brianna has never seen Lou Willard, although she had  
40 been to Willard's house on one occasion, with Travis Anglin, at which point he had the  
41 garage door opener and left work on a chair and then just shut the garage. She  
42 believes that she had gone with Travis to pick up or drop off items at her home on two  
43 occasions. This was because Brianna at the time was carpooling with Travis Anglin.  
44 Brianna believes that she went to Lou Willard's on one occasion by herself, when Travis  
45 was out of town and she had his vehicle and the garage door opener.

1  
2 Brianna did not remember Willard being assigned many transcriptions, "Just a few here  
3 and there." (p. 11, Exhibit II4) She thought that Lou received anywhere from two to four  
4 audio tapes a week on average, or in any event, "just a few a week, maybe." (p. 12,  
5 Exhibit II4)

6  
7 Brianna could not remember if Lou Willard did her timesheets or if Brianna did them.  
8 Brianna was told to give Lou 40 hours a week. We reviewed the timesheets, and it was  
9 clear that Brianna had completed some of the timesheets, but not all of them. It  
10 appeared to her that either she or Daniel Beck had completed Willard's timesheets, just  
11 as they did for persons who were on administrative leave. On some of the timesheets,  
12 Daniel Beck filled out the numbers, but Brianna signed the documents as a supervisor.  
13 Some of the timesheets for Willard were also signed by Sergeant Karla Love, and some  
14 by Lieutenant Travis Anglin.

15  
16 Brianna advises that she was told by Travis Anglin and Captain Miller that Garcia  
17 Willard worked 40 hours a week, and was a full time employee.

18  
19 Brianna recalled that there were some complaints about the quality of the work that Lou  
20 Willard had done, and that with the longer transcripts, she did not produce them as  
21 quickly as Teresa Turgon. Brianna denied ever having any discussions with Travis  
22 Anglin or Captain Miller about whether it was appropriate to be paying Lou Willard 40  
23 hours a week, given Brianna's understanding of the amount of work to which she had  
24 been assigned. As Brianna put it, "That wasn't my place." (p. 17, Exhibit II4) Brianna  
25 did have some question about the fairness of Willard's employment with MCSO. Her  
26 comments about this were as follows.

27  
28 I don't think it was personally fair that she was, you know, able to stay at home,  
29 well, this is just my personal feelings. I don't think it was fair for her to be, you  
30 know, hired on and able to work at home to a certain extent and not producing as  
31 much as a normal transcriptionist should. But considering her age and  
32 supposedly, she was one of the, you know, the people you just didn't mess with.  
33 (p. 17, Exhibit II4)

34  
35 Brianna advises that she did not complete Lou Willard's EPAs; rather, Travis Anglin did  
36 it, or had someone else do it, because in that timeframe Brianna was on maternity  
37 leave, from July into October of 2007, when she was off 12 weeks. Travis Anglin signed  
38 the timesheets when Brianna was out on leave.

39  
40 Brianna acknowledged that Lou Willard did not take off any time, in her three years and  
41 two months of employment from July 2007 to September of 2010, at least according to  
42 the timesheets.

43  
44 I pointed to Brianna that, according to calculations made by IA, given the information on  
45 the transcription logs, Lou Willard had been given slightly over 124 hours of audio to



1 transcribe, and had been paid over 6,500 hours. Brianna insisted that she gave Willard  
2 work most every week, upon her return from pregnancy leave, and up to the time of  
3 Brianna's departure from IA in August of 2008, a period of approximately one year.  
4 However, as Brianna indicated, Lou Willard appeared to be slow, and she was not going  
5 to give Willard more work if she was backed up.

6  
7 We asked Brianna what her understanding was of the significance of the supervisor's  
8 signature on the timesheet. As she put it, "that I'm accounting for her time." She also  
9 acknowledged that by signing the timesheets, the supervisor is vouching that the times  
10 and the hours reflected on the timesheet are correct. (p. 21, Exhibit II4) Brianna says  
11 that she put down 40 hours a week for Lou Willard because she had been told that Lou  
12 Willard was a full time employee. Brianna had no explanation as to why Travis Anglin  
13 was to be the only person to have personal contact with Lou Willard, only that Travis  
14 said that that's the way it was going to be. As she put it, "He said, 'Lou is mine. I was  
15 told that I had to handle her.'" (p. 22, Exhibit II4) Travis Anglin had further told Brianna  
16 that Willard's husband was a close friend of Hendershott, and Hendershott "was taking  
17 care of her." (p. 22, Exhibit II4) Anglin also told Brianna that Mrs. Willard needed  
18 medical coverage.

19  
20 Brianna had no reason to believe that Lou Willard was performing any other work than  
21 transcription. Further, Brianna did not believe that Willard was receiving any work for  
22 transcription that wasn't reflected in the transcription logs, which were the means that  
23 Brianna and others in IA accounted for what work the transcriptionists had, and what the  
24 status was of the work. If something was given to Lou Willard, it was without Brianna's  
25 knowledge, and it would have had to been given to Willard by Travis Anglin. In the end,  
26 Brianna was the "gatekeeper" for the audio CDs and the transcriptions. All investigators  
27 in IA prepare their own reports, and do not dictate them, so there would have been no  
28 need for transcription of any audio of report dictation.

29  
30 **Loretta Barkell**

31  
32 Loretta described how she came to know of Garcia Lou Willard.

33  
34 I was called to the Chief Deputy's office about three years ago. And there was a  
35 situation in Internal Affairs that they had so much transcription work they  
36 couldn't keep up with it. And, the Chief Deputy felt that he had found solution  
37 for them. That he had an individual that he knew who could perform through  
38 telecommunication agreement transcription work for IA from her home. When I  
39 asked him how the individual would receive the transcription materials and how it  
40 would be tracked he informed me that the person over Internal Affairs would be  
41 tracking the number of hours that this individual worked and that Lyzandra his  
42 assistant, or some other Deputy, would drop off the transcription work and pick it  
43 up from Ms. Willard. So, we had a, I believe it's an office assistant position  
44 available. Pays \$10.76 an hour. We went through the process. 2007 you  
45 couldn't get anybody in to apply for anything at \$10.00. So we had the internal,

1 no response. We had the external and Lou applied for it and the Chief Deputy  
2 made the selection. I don't know if there were any other external candidates. I  
3 doubt it, because this economic time we couldn't get anybody to work for \$10.00  
4 an hour. And then the Chief Deputy instructed Internal Affairs this is how, here's  
5 a person for you. She will do a wonderful job for you. We've provided her with  
6 the equipment and the computer to do the work. And she had a  
7 telecommunication agreement and after that I had very little contact with Ms.  
8 Willard. I never asked about Ms. Willard. I assumed, shame on me, that things  
9 were working appropriately. (p. 111, Exhibit II6a)

10  
11 After Chief Hendershott had been given the notice of investigation relating to the  
12 present investigation, Chief Young brought to Barkell's attention that there was a  
13 transcriptionist in IA who they had not used for the prior 30 days. Loretta decided to  
14 have HR contact Willard and tell her that the position that she had provided for Internal  
15 Affairs no longer existed, but they could definitely use her as an office assistant in other  
16 areas in the headquarters offices, and she could commute to downtown and work.  
17 According to Loretta, it was Kelly Brennan who initially spoke with Ms. Willard, and then  
18 Karen Andrews, Loretta's administrative supervisor, spoke with Willard as well, who  
19 apparently was agreeable. Subsequently, Chief Sheridan received a call from Clarisse  
20 McCormick, and spoke with Chief Sheridan. Loretta stepped out of the room, and  
21 conferred with Karen Andrews, who indicated that Willard was having second thoughts  
22 about coming to work downtown, because she was going to need to see her doctor.  
23 Subsequently, Loretta had the leave record of Willard pulled over the years, and found  
24 out that for the last three years, Willard had not taken a single day of vacation or sick  
25 time, and had considerable leave accrued.

26  
27 Loretta then walked back to her office, where Chief Sheridan was conferring by  
28 telephone with Clarisse McCormick, and he asked Loretta what she knew about Lou  
29 Willard. She told him that she had been working on the situation and he said that  
30 Clarisse was on the phone. McCormick advised that Chief Hendershott had contacted  
31 Clarisse, and was "screaming at Clarisse about how dare we do this to this poor woman  
32 that not having her have a job and making her come down to work and on and on and  
33 on and on." According to Sheridan, Hendershott had indicated that she had health  
34 issues. It would appear that when Lou Willard had gotten the call from Kelly Brennan in  
35 MCSO HR, she then called Chief Hendershott in a panic, and he in turn called Clarisse  
36 McCormick. It was then revealed that Willard had decided to go out on FMLA, because  
37 she was under "an incredible amount of stress." (p. 112, Exhibit II6a)

38  
39 Loretta Barkell reiterated that, based on her research, Lou Willard had not missed an  
40 hour of work in over three years, and she always got paid 40 hours per week.

41  
42 The team discussed with Ms. Barkell the fact that there were three certification lists  
43 generated for the position for which Lou Garcia was chosen. The first cert list had a run  
44 date of June 12, 2007, and Willard's name did not appear. The second cert list had a  
45 run date of July 3, 2007, and this contained an entirely different group of individuals, but

1 Lou Willard's name did not appear on this list. Barkell's suggested that this was either a  
2 second announcement, or when it was originally posted, it may have been a continuous  
3 announcement, with no end date, as MCSO was trying to fill clerk positions. A third list  
4 was generated, which had a run date of July 6, 2007, that has a different group of  
5 individuals from the second cert list. Maricopa County HR had no record of getting the  
6 signed-off version of this list from MCSO HR. Lou Willard's name does appear on this  
7 list, and according to Maricopa County HR, she was one of two individuals hired off the  
8 list, the other being a Violet Aird. Ms. Barkell indicated that her staff could not find the  
9 signed-off copy of the certification list of eligibles relating to requisition No. 19407, which  
10 is the certification list off of which Lou Willard was hired.

11  
12 Ms. Barkell did not recall ever receiving information that Lou Willard had not made the  
13 first or second certification list. As she recalls, MCSO was filling many different  
14 positions, and it could have been a matter of timing of when her application was  
15 submitted. She did not recall ever receiving information that Willard had not made the  
16 first list or the second list. She did advise that if applicants don't fill out the application  
17 correctly online, their application may be rejected. She did not know if Willard had a  
18 hard time filling the application out online, although the personnel file reflects that there  
19 were two applications submitted by Willard. Loretta was not aware that the first  
20 application listed Willard's prior employment as operator of an art gallery, and the  
21 second application reflected her prior employment as having included work as an  
22 unpaid secretary for her husband for a number of years. Barkell did not really know  
23 what took place, with respect to Willard, but she said it was possible that Willard may  
24 not have made the first two lists, and was advised to reapply with different information.  
25 As Loretta said, "I do know that she was given extra help in filling out the online  
26 application." (p. 24, Exhibit II6b)

27  
28 According to Barkell, Chief Hendershott brought Willard's name and telephone number  
29 to Loretta's Administrative Supervisor, Karen Andrews, and indicated that Willard  
30 needed a position, and asked what was available. It was Karen Andrews who had  
31 worked with Garcia from the beginning to determine what position might be appropriate  
32 for her. Barkell understands that Karen Andrews had a number of conversations with  
33 Lou Willard on the phone. According to Barkell, Chief Hendershott indicated to  
34 Andrews that Willard had lost her husband, had health issues, and needed insurance.  
35 When asked what Barkell understood to have been her marching orders from  
36 Hendershott with respect to Lou Willard, her response was, "You find her a job." (p. 25,  
37 Exhibit II6b)

38  
39 The team asked Barkell what her reaction was to the fact that in the period from July of  
40 2007 to September of 2010, she had been paid over 6,800 hours, and only received  
41 approximately 132 hours of audio for transcription, and had never taken a single hour of  
42 paid time off. Her response was as follows.

43  
44 When Mrs. Willard was hired, the Chief Deputy took a personal interest in her.  
45 He was going to provide her services to the Internal Audit group, she was

1 supposed to be a top drawer knock out transcriptionist, and that she could  
2 telecommute, he wanted her to be able to telecommute because of health issues,  
3 and that Lyzandra or himself, or somebody would take the work and pick it up.  
4 And after she was hired I, my HR people and Karen and I never had any more to  
5 do with her. (pp. 28-29, Exhibit II6b)

6  
7 Barkell advises that she did not know that Willard had never taken any PTO until after  
8 Hendershott went out on administrative leave, in connection with the present  
9 investigation.

10  
11 The team informed Ms. Barkell that Internal Affairs staff personnel was actually  
12 completing and signing the timesheets for Ms. Willard, and the supervisors were signing  
13 the timesheets. It is Barkell's opinion that when the supervisor signs the timesheet he  
14 or she is "verifying that this individual worked these hours." (p. 30, Exhibit II6b) Barkell  
15 did not know, until after the present investigation started, that Lieutenants in Internal  
16 Affairs were actually taking work to Willard and picking it up. Loretta agreed, based on  
17 the information in the transcription log, that there was no way that she was given  
18 enough work to occupy even close to the time that she was paid from July of 2007 into  
19 the fall of 2010. It is Barkell's position that it is the responsibility of the supervisors who  
20 sign off on the timesheets to verify that the individual actually worked.

21  
22 As to whether special accommodations had been made for Willard, and whether the  
23 supervisors were bending over backwards and looking the other way, Barkell's  
24 comments were as follows.

25  
26 And, let me tell you, none of those guys ever came to me to say we don't have  
27 enough to keep her busy, you know, she's, we really shouldn't be paying her,  
28 none of them ever came and said that we have this employee that's filling this  
29 position, but we're not getting from this employee what we need, none of them  
30 ever came to me. Which then, leads you to believe that the Chief Deputy  
31 expressed his requirement that she be taken care of. (p. 31, Exhibit II6b)

32  
33 The team pointed to Ms. Barkell that, according to Chief Hendershott, all he did, with  
34 respect to the individuals who were related to him, who turned out to be employees of  
35 MCSO, was to inform HR that a particular person was available, and if there was a  
36 position for the person, that would be fine. Barkell indicated that this is not what took  
37 place. She indicated that most of the individuals on the list, particularly Lou Willard,  
38 there were special directions to find jobs for these individuals, and would have actively  
39 follow up on how HR was doing. It is Barkell's position that most of the individuals on  
40 the list had received preferential treatment.

41  
42 **Ray Churay**

43  
44 Churay is not familiar with Lou Willard and had no information on that allegation.  
45

1 **Paul Ellis**

2  
3 Lt. Travis Anglin was supervising IA and was replaced by Lt. Ellis, who was advised that  
4 Garcia Lou Willard was a friend of Hendershott's and was doing transcribing. Anglin  
5 advised Ellis that he had only seen Willard only once in a period of months, but  
6 explained to him that they had an arrangement where Anglin had a garage door opener  
7 to Willard's residence and he would leave CDs for her transcribe and pick up CDs which  
8 had already been transcribed. Willard and Anglin never saw each other, but they spoke  
9 by phone. Anglin was instructed to give Ellis Willard's address, telephone number and  
10 remote control to her garage, so that he could establish communication with her and  
11 pick up the routine. Ellis indicated that there was a full-time in-house transcriptionist at  
12 that time, named Teresa, and his wife, Kathy Ellis, was also transcribing part-time from  
13 home. Kathy had been a dispatcher for 18 years and then became a part-time  
14 transcriptionist from home and worked in radio a couple of days a week.

15  
16 Lt. Ellis did not deny that he was under the impression that Willard was getting paid full-  
17 time wages because she was a friend of Chief Hendershott, although she only worked  
18 when work was available. Ellis explained that Anglin gave him the remote control, the  
19 phone number and address for Willard and approximately a week later he crossed  
20 paths with Chief Hendershott in the hallway. Hendershott called Ellis into his office and  
21 showed him large paintings and pencil drawings that were reportedly created by Willard  
22 who was renowned artist in New York. Hendershott explained that Willard's husband  
23 had been a very good friend of his and he had died of [REDACTED] basically in Willard's  
24 arms, which had devastated her. Willard then became an [REDACTED] and had  
25 problems leaving the house, therefore Hendershott and Willard had made the foregoing  
26 arrangements to deliver and pick up the work to her.

27  
28 Ellis indicated that he made a conscious effort to send work Willard's way before he  
29 would send work home to his wife, to avoid conflict of interest (perceptions of  
30 preferential treatment). Willard, however was not a very fast transcriptionist, therefore  
31 when there were large investigations with deadlines, he would sometimes utilize the  
32 other transcriptionists before going to Willard. Lt. Ellis admitted that he has never heard  
33 of part-time secretary or office assistant where a Lieutenant was running documents  
34 back and forth from MCSO to their home, to appease the assistant. Lt. Ellis admitted  
35 that it wasn't always convenient for him to go to Willard's house to drop off transcription,  
36 but said that since MCSO gave him a vehicle, he could not do it.

37  
38 Once Kathy Ellis learned about Willard's position, she told Lt. Ellis that she would have  
39 liked to apply for Willard's position, but she had not been made aware of it.

40  
41 Lt. Ellis said that his conversations with Chief Deputy Hendershott about Willard were  
42 limited to the tragedies in her life and that fact that Willard's husband was a good friend  
43 of his. Hendershott made Lt. Ellis conscious of the fact that she was always 40 hours a  
44 week, even if the transcription took place during the grave yard hours, since she was  
45 somewhat of a night owl, but Willard indicated that if she was not transcribing, she was

1 putting in 40 hours by "reading policy." Lt. Ellis admitted that he felt a need to keep  
2 Willard busy, therefore he often have Teresa file in-house, so that he could give Willard  
3 work.

4  
5 Lt. Ellis admitted that he may have had speculative conversations with Travis Anglin  
6 about Willard's position, but to his understanding, she qualified for Medicare and did not  
7 need the health benefits from MCSO, and he does not recall Hendershott telling him  
8 that Willard needed the position to pay her bills or anything to that effect.

9  
10 The investigation team brought it to Lt. Ellis' attention that in three years and two  
11 months of employment, Willard had not used one hour of vacation pay or sick pay. Ellis  
12 said that he was not aware of that and did not keep track of that type of information but  
13 said that when Willard was going to the doctor or some other personal business, she  
14 always made a point to let Ellis know that she wasn't going to be home during a period  
15 of time, and it appeared that she was concerned that Lt. Ellis might grow suspect if she  
16 was unavailable during normal business hours. Lt. Ellis understood that Willard had a  
17 pattern of working into the late night, so he was not concerned with the hours missed  
18 during the daytime. Lt. Ellis did point out that Teresa and his wife transcribed with a  
19 four to one ratio of interview hours, but said that it was double for Willard, who was  
20 slower than Teresa or Kathy.

21  
22 Lt. Ellis admitted that he did sign the time sheets for Lou Willard, which indicated that  
23 she was working 40 hours a week, 80 hours a pay period. Lt. Ellis admitted that he  
24 can't say that he actually believed that she was working all of those hours. He admitted  
25 that he was giving Willard as much work as he could, and during slow periods, he would  
26 ask the Criminal Investigators if they had any work to give to her, so that she could get  
27 more work.

28  
29 The investigation team presented Lt. Ellis with a spread sheet indicating that from July  
30 2007 to September 2010, Willard was assigned approximately 125 hours of audio  
31 material to transcribe. During this time frame, Willard was paid for approximately 6,500  
32 hours. Based on a conversion factor presented by Teresa, it would take approximately  
33 500 hours to transcribe 125 hours of material. Based on those calculations, there would  
34 have been 6,000 hours of paid time unaccounted for by Willard. Lt. Ellis acknowledged  
35 that this discrepancy may be an issue. Lt. Ellis acknowledged that he completed a  
36 performance for Willard in March 19, 2009 when Willard had been working for him for 3  
37 to 4 months. He rated her satisfactory in quantity of work, outstanding in quality of  
38 work, excellent in work habits and character, excellent in personal relations, excellent in  
39 adaptability and satisfactory in safety. The investigation team posed the question if  
40 there was any inducement for Lt. Ellis to give Willard a better review than she deserved,  
41 but Lt. Ellis denied that, stating that Willard would have done anything that he asked her  
42 do without question and opined that she was not trying to milk the system.

43  
44 Lt. Ellis believed that Chief Deputy Hendershott had also given Willard some "secret"

1 assignments, which she said she stayed up late nights to complete for Hendershott.<sup>14</sup>  
2 This happened on at least three occasions. Lt. Ellis admitted that he did not make any  
3 notes about these assignments. Ellis understood from Willard that he was not privy to  
4 the content of the assignments, but Ellis said he had no reason to doubt that Willard  
5 was working on them.

6  
7 Lt. Ellis admitted that his performance evaluations of Willard may not have been an  
8 accurate depiction of his true observations of Willard's performance. He believed that  
9 performance evaluations should provide employees with recommended areas of  
10 improvement, but he had admittedly fallen into the habit of using performance  
11 evaluations to say, "I can't give you a raise, but I can give you, I can tell you that I  
12 appreciate you working here." Lt. Ellis denied that he ever discussed Willard's  
13 evaluations with Hendershott and said that Hendershott's signature was not on the  
14 evaluation he completed on Willard, leading him to believe that Hendershott had not  
15 reviewed it. Upon review of the evaluation with the investigative team, Ellis surmised  
16 that the evaluation may bear the signature of Captain Miller and Ellis said he believed  
17 this was the only evaluation he recalls completing for Willard.

18  
19 Lt. Ellis then apologized for being lax when preparing Willard's performance evaluation,  
20 admitting that his "performance was not up to par," as he should have used that  
21 opportunity to discuss "bumps in the road" with Willard.

22  
23 Lt. Ellis acknowledged that he knew that he knew Lyzandra Ovist and described her as  
24 being "very nice." Ellis understood that prior to working for Hendershott at MCSO, Ovist  
25 was employed by a school district as the secretary for Hendershott's wife. The  
26 investigation team pointed out to Lt. Ellis that Ovist indicated to the team that she was  
27 not aware of any assignments Hendershott may have given to Willard and Ellis replied  
28 that he thought Hendershott may have given Willard certain assignments to make her  
29 feel important.

30  
31 **Barry Hamill**

32  
33 Sgt. Hamill said that there were two transcriptionists used by Criminal IA, Teresa  
34 Turgon and Garcia Lou Willard, who they used when Teresa was busy. On one  
35 occasion, Hamill gave Lt. Travis Anglin a CD with audio he needed to have transcribed.  
36 Lt. Anglin told Hamill that Teresa was busy, but said he would drive the CD out to  
37 Willard. Lt. Anglin further explained to Hamill that when "Teresa got too busy we had to  
38 give Willard some transcripts because she was paid 40 hours a week no matter what  
39 she did, and sometimes he said, she'd only have three or four hours of transcript time,  
40 so we were told to try and give her a little bit more because she was being paid 40  
41 hours whether she did them or not." (p. 49, Exhibit II15) Hamill explained that Willard's

---

<sup>14</sup> Curiously, Hendershott denied that he had ever given Willard any assignments. Lyzandra Ovist, Hendershott's administrative assistant, also denied that she had given Willard any assignments on behalf of Hendershott.

1 turn-around time was not very fast and her work product was not very accurate, so  
2 nobody wanted to send work to Willard.

3  
4 Sgt. Hamill was not aware of any relationship between Willard and Chief Hendershott.  
5 In response to our inquiries, Hamill said that he had never heard of a County employee  
6 getting paid for 40 hours a week irrespective of how much time they actually worked.  
7 When Hamill mentioned his concerns to Lt. Bruce Tucker, Hamill learned that Willard  
8 was a friend of Hendershott's wife. Hamill may have also discussed Willard with Lt.  
9 Paul Ellis, who encouraged IA to give work to her. Hamill believes that over the course  
10 of two years he sent three CDs to Willard. The CDs were logged on the IA  
11 Administrative side and recorded the length of time on the CD, case agent, principal and  
12 witness names. The log would also indicate the assigned transcriptionist, Teresa or  
13 Willard, so that the Officers could follow up with them if necessary. Hamill believes he  
14 also made comments to Lt. Rustenburg about the accuracy of Willard's transcripts and  
15 Rustenburg told Hamill to "just deal with it" since Willard was a friend of Hendershott.  
16 Hamill did not know who was responsible for Willard's Performance Appraisals. He  
17 personally had never met or spoken with Ms. Willard or heard of her coming to the  
18 office.

19  
20 **Ken Holmes**

21  
22 Holmes advises that when he became the IA Commander in September of 2009, there  
23 were two transcriptionists, Teresa (Turgon) and Lou Willard. Holmes learned about Lou  
24 Willard as a transcriptionist from Lieutenant Paul Ellis. Ellis informed Holmes that Lou  
25 Willard was a friend of or somehow related to Chief Hendershott, and that "only select  
26 people had any contact with Lou Willard." (p. 29, Exhibit II19a) Holmes never met or  
27 spoke with Lou Willard. Paul Ellis was the only individual, while Holmes worked at IA,  
28 who dropped off tapes that needed to be transcribed. Ellis stated that he did not have  
29 much contact with Lou Willard, and Holmes was not even certain that Ellis had met her.  
30 Holmes thought that Ellis may have developed some sort of email relationship with her,  
31 or they spoke telephonically. He did not know how Willard came to be an employee of  
32 the office.

33  
34 Our discussion turned to the issue of Lou Willard's timesheets, and the fact that  
35 Lieutenant Siemens had signed her timesheets for most of 2010. Although he is not  
36 sure where he came by this information, Holmes understood that Ms. Willard not only  
37 did transcription for IA, but may have also done some work for Chief Hendershott. She  
38 certainly was not the primary transcriptionist for the office, but was rather "overflow."  
39 Holmes had no idea as to what type of work Lou Willard was reportedly doing for Chief  
40 Hendershott. He believes that his information about her possibly working for  
41 Hendershott came from Lieutenant Paul Ellis. Holmes indicated that, at the request of  
42 Chief Terry Young, he made some calculations as to the number of hours of audio Lou  
43 Willard had received, according to the transcription logs, and while he did not have the  
44 particular numbers in hand, he indicated that the time it would have taken to transcribe  
45 this audio was a fraction of the total amount of time that she was paid.



1  
2 Captain Holmes subsequently called IA, when we were off tape, and learned that from  
3 the start of her employment in 2007, up to the time of the interview, Lou Willard has  
4 been paid 6,808 hours, and the total number of hours of audio that she had been  
5 provided with for transcription, was 124 hours and 30 minutes.

6  
7 Holmes advises that he has never spoken directly with Lou Willard. He does believe  
8 that Willard has had communications with Lieutenant Chuck Siemens and Lieutenant  
9 Paul Ellis.

10  
11 Holmes was not aware of any performance reviews prepared on Lou Willard.

12  
13 **Gertrude Jackson**

14  
15 Loretta Barkell forwarded to the PCSO team a 1/10/11 email (Exhibit RR10) from  
16 Gertrude Jackson, who had conducted some research on the various certification lists  
17 generated for the Clerk position, involving Willard's hiring. The text of this email is as  
18 follows.

19  
20 Hello Chief Barkell.

21  
22 Office Assistant cert lists 19407 dated 06/12/2007, 07/03/2007 and 07/06/2007  
23 were from an "open until filled" recruitment.

24 The open until filled recruitment request was sent to County HR by email on  
25 05/13/2007.

26 The recruitment opened on 06/01/2001.

27 The cert list for 19407, 06/12/2007 was received on 06/12/2007.

28 The cert list for 19407, 07/03/2007 was received on 07/03/2007.

29 The cert list for 19407, 07/06/2007 was received on 07/06/2007 and County HR  
30 closed the recruitment for applicants to apply on 07/03/2007 due to the large  
31 application response received. Therefore the 07/06/2007 cert list was the last one  
32 from "open until filled" recruitment/cert list number 19407.

33 I have completed the cert list with dispositions for 19407 dated 06/12/2007 and  
34 07/03/2007, but I do not have the completed cert list for 19407 dated 07/06/2007  
35 since this is the one of the lists along with several others that were  
36 closed/cancelled due to budget reasons.

37  
38 I will bring over copies of the email communication and the two completed cert  
39 lists dated 06/12/2007 and 07/03/2007 for list 19407.

40  
41 Thanks.

42  
43 Gertrude T. Jackson  
44

1 Ms. Jackson indicated that it is not unusual, with a large recruitment, as occurred in this  
2 matter, for the certification lists to be issued sequentially. This was an "open until filled"  
3 recruitment that, according to Ms. Jackson, was closed before everyone on the third  
4 cert list could be contacted. (Ms. Jackson's email reflects that the recruitment was  
5 cancelled due to budgetary reasons.) Typically, after MCSO HR contacts the personnel  
6 on the cert lists, they then forward the annotated cert list back to County HR. However,  
7 in this set of circumstances, according to the email and Ms. Jackson's comments, this  
8 third list was shut down prematurely, and therefore was not completed and sent to  
9 County HR.

10  
11 Ms. Jackson does not believe that three different certification lists were generated so  
12 that Willard would eventually get on a list (she was not on the first 2 issued under this  
13 recruitment (#19407). Ms. Jackson indicated that Lou Willard's name was not on the  
14 first 2 cert lists apparently because of the date her application was received. Ms.  
15 Jackson does not believe that minimum qualifications were lowered for the 3<sup>rd</sup>  
16 certification list, to make sure that Willard got on the list and could be hired. As  
17 indicated in the foregoing, Jackson indicated that it is not unusual, for a large  
18 recruitment such as this, for several sequential certification lists to be generated. She  
19 does not believe there is anything suspicious about the fact that Willard was not on the  
20 first two lists.

21  
22 Ms. Jackson denies having received any calls from David Hendershott about Willard's  
23 employment with MCSO, but she does not know whether others in MCSO HR may have  
24 fielded such calls. Jackson did not know of Willard's hiring until she received faxed  
25 paperwork from MCSO Pre-Employment. Personnel Services would have handled the  
26 new hire paperwork, but Jackson has no recollection of getting involved in the  
27 paperwork process relating to Willard.

#### 28 29 **Bill Knight**

30  
31 Knight explained that his mother, Dawn Farnsworth has been the MCSO HR Manager  
32 for a very long time and said his stepfather is Captain Larry Farnsworth. Knight  
33 indicated that he has never met Willard, but said that his mother would be an excellent  
34 resource on the HR issues presented in this investigation. Dawn Farnsworth had never  
35 spoken about Willard to Knight by name, but she would discuss the scenario, saying  
36 that Hendershott's friend was hired to do transcription work, she never reported to the  
37 office, but always got paid in a timely fashion. Since the onset of the subject  
38 investigation, Terry Young also told Knight that things were going to change while  
39 Hendershott was out of the picture, at least temporarily, and said that one of the things  
40 that would have to change is Willard actually reporting to the office.

#### 41 42 **Karla Love**

43  
44 Sgt. Love was also involved in the MACE investigation into the Sandra Dowling case,  
45 verifying transcripts. At that time, there were two transcriptionists for MACE, Teresa

1 Turgon and Linda Ellis. They used Net Transcripts, at Love's request, but there were  
2 too many errors, so they starting using Kathy Ellis as a transcriptionist as well. Love  
3 indicated that a requisition had to be submitted to use Net Transcripts, who MCSO  
4 General Investigations Division also utilizes. When Turgon broke her hand, they had to  
5 use Net Transcripts, but budget cuts limited the amount of work sent to them, so they  
6 sent more work to Kathy Ellis. Linda Ellis was phased out of the rotation, as she was  
7 assisting the Chiefs.

8  
9 Sgt. Love did not have the paperwork reflecting when Kathy Ellis started transcription,  
10 but indicated that she was already working in Radio. She did not submit a request to  
11 Human Resources to use Ellis as a transcriptionist, but made the request to Captain  
12 Miller. Sgt. Love was under the impression that approval for Ellis came from Chief  
13 Hendershott, but she was not sure if Ellis had to go through HR.

14  
15 Sgt. Love advises that she did not supervise Lou Willard, as she disagreed with the  
16 reason Willard was being hired, the fact that she was Chief Hendershott's friend. She  
17 understood, from Captain Miller, that Willard would be working from home, helping with  
18 transcription, but Kathy Ellis did that too. Sgt. Love explained that she (Love) was  
19 "head of all the transcriptionists in a sense," as she was responsible for distributing the  
20 work to the transcriptionists and tracking their productivity. Initially, the transcription log  
21 was tracked manually, but then at Love's request, Danny Beck, an Administrative  
22 Officer and Reserve Officer, circa 2007 prepared a database (spreadsheet) to track the  
23 transcriptions. This transcription log was in place when Willard started working for the  
24 County in July 2007. Love used the database, which was kept on the County's W Drive,  
25 to track what assignments were delegated to which transcriptionist and to estimate the  
26 amount of time it would take for completion of assignment. Love said that Teresa  
27 Turgon was very fast, and she estimated 2-3 hours of transcribing for 1 hour of audio,  
28 and she used that number to evaluate Willard's productivity level, keeping in mind that  
29 she was newer than Turgon. The log had columns to note the names of the principals  
30 who were being interviewed, how long the interview was, the case number, the  
31 assigned transcriptionist, the date it went out and the date it came back. Love also  
32 believed the log tracked the length of the transcription time, but she could not recall how  
33 the transcriptionist reported this information to her.

34  
35 Sgt. Love said that while she supervised the transcriptionists, she was not responsible  
36 for Kathy Ellis' performance evaluations because she was part-time, but Love did  
37 complete evaluations for Teresa Turgon. Sgt. Love pointed out that she refused to  
38 complete the evaluations for Willard because she had never met her and, as she told  
39 Captain Miller, she would not be responsible for signing Willard's timesheets because  
40 she did not know if Willard was actually working since she was working from home.  
41 Sgt. Love expressed her concerns about using Willard as one of the primary  
42 transcriptionists and she summarized an email chain with Lt. Bruce Tucker, dated  
43 November 13 and 19, 2007, a copy of which was provided to the investigative team.  
44 Sgt. Love indicated that she initiated these emails to cover herself, as she was  
45 concerned with the amount of work assigned to Willard and the lack of results.

1  
2 A: ...And I have an email here, I don't know if you read this, but, it was to Bruce  
3 Tucker, because I would give transcripts to Willard, Lou, and Travis Anglin or  
4 he'd delegate someone to go out there and pick those up and drop them off, that's  
5 the only way, she wouldn't come into the office, it was if Travis dropped these,  
6 you know, CDs off and then they'd have to be picked up. So, I, in this trans, or  
7 this email here, it says, these transcripts were signed out to Willard at the  
8 beginning of the month, approximately two days worth of work, an invest, an  
9 investigations, or investigators still do not have them. If you can please check on  
10 the status of these I would greatly appreciate it. And then, Bruce Tucker, who  
11 was my supervisor at the time, emailed me back and said that Travis Anglin was  
12 the one that was responsible and he was taking full responsibility. Right here it  
13 says, Travis has informed me that he accepts strict responsibility for all these  
14 employees, or all of this employee's work and work product, therefore, I am not in  
15 the loop on this issue, and recommend dealing with Travis and the Captain  
16 directly if you should have any questions. Thank you, Bruce. And then it says,  
17 Also, I spoke with the Captain regarding clarity of workload assignments to  
18 transcriptionists, concerning that this year's status priority should be as follows,  
19 and we're supposed to use Teresa, Willard, and then Kathy, cause Kathy was just  
20 a part timer. And my thing was, is that we were paying Willard full time, that  
21 means we should get transcripts out weekly and pick them, and I didn't see that  
22 happening. So, that's why I sent this email out. Because, we were using Kathy  
23 and we should have been using Willard, so, that's why in this email here, it says,  
24 Teresa, then Willard, then Kathy. Do not forward out to Net Transcripts. We  
25 were using Net Transcripts at the time, without prior authorization from Captain.  
26 So, we were still using them when she came on board. (pp. 10-11, Exhibit II23)

27  
28 The PCSO team confirmed with Sgt. Love that she worked with Willard from  
29 approximately September 2007 to April 2008, and Love shared how she learned about  
30 Willard's relationship with Chief Hendershott. She said that she believed the  
31 information came from Captain Miller, although it may have come from Travis Anglin,  
32 but she was told that, "We had a new transcriptionist. And I was told that her husband  
33 had just died and she was a friend of Chief Hendershott's, and she needed medical  
34 benefits." (p. 12, Exhibit II21) Love continued to explain that she was instructed that  
35 Willard was "going to get paid no matter what," and she voiced these concerns to  
36 Captain Miller and/or Lt. Anglin.

37  
38 A: I was told that she was working from home, and we paid her no matter  
39 what, you know, if there's not enough work, she'll still get paid.

40  
41 Q: Have you ever heard of any other job with the County where that sort of  
42 benefit or compensation structure is presented?

43  
44 A: I don't know of any full time employees that work from home, so, you  
45 know, usually you're at work you're working...

1  
2 Q: Well, what I, what I'm concerned about is whether you know of any other  
3 positions at MCSO where a person gets paid for 40 hours a week irrespective of  
4 how many hours they actually work?

5  
6 A: No, no, I am not aware of that.

7  
8 Q: Okay. Did that concern you?

9  
10 A: That's why I said I didn't want anything to do with her timesheet, I'm not  
11 signing her timesheet and they didn't argue with me on that, cause I felt it was  
12 wrong.

13  
14 Q: Alright. Did you say something to Miller?

15  
16 A: Yes.

17  
18 Q: Did you say...

19  
20 A: Miller or Travis, one of the two. I, I kind of have a tendency to voice my,  
21 my opinion....

22  
23 Q: But, did you tell them that you thought it was wrong?

24  
25 A: Yes, I did.

26  
27 Q: And what...

28  
29 A: That's why I wasn't going to sign the timesheet.

30  
31 Q: What was the response that you got back?

32  
33 A: I don't recall the exact words, but they didn't argue with me, they know  
34 how I am, and if you sign this timesheet, that means that you are verifying that's  
35 what she actually worked. So, since I couldn't see her, I couldn't see what she  
36 was doing, I never met the person, never met Willard, I didn't feel comfortable  
37 signing that timesheet. I may have entered her time in the computer, but that  
38 doesn't have anything to do, it's who signs that timesheet is the one that's  
39 responsible for that person. (pp. 12-13, Exhibit II23)

40  
41 According to Sgt. Love, the work that was completed by Willard appeared to be  
42 accurate with few errors, although she was not as fast as Turgon. Sgt. Love also  
43 pointed out that Anglin was responsible for getting work to Willard and pick up the  
44 completed transcripts, and when Love would look for completed transcripts which had  
45 been assigned to Willard, she would ask Anglin, who would tell her not to worry about

1 them. Sgt. Love felt that she had to constantly chase down Willard's assignments and  
2 would have to remind Anglin to have the pick up the completed transcripts. Sgt. Love  
3 never went to Willard's home, but believed that Anglin may have had some of the  
4 investigators go out there, including Sgt. Brianna Armstrong. Sgt. Love said that on one  
5 occasion, when she asked Anglin for the status of some transcripts, he told her that  
6 Willard had been busy working on something for him, which she presumed were  
7 assignments not reflected on the transcription log. Sgt. Love said she was not aware of  
8 Willard completing work specifically for Chief Hendershott.

9  
10 Sgt. Love left IA in March 2008 and believed that they continued to use the  
11 transcriptionist log after her departure, although she never had a reason to go back and  
12 check on its usage. The investigative team advised Sgt. Love that statistics had been  
13 gathered about the amount of work completed by Willard from July 2007 to September  
14 2010, and told her that it appeared Willard had been assigned 124.5 hours of audio  
15 during that time period. Sgt. Love's immediate response was, "That's not very much."

16  
17 The investigative team pointed out that Sgt. Love's signature appears on five  
18 timesheets for Willard from January to March 2008, but she said she could not recall  
19 signing any of the timesheets, although when presented with copies of the timesheets,  
20 Sgt. Love verified her signature. Brianna Armstrong signed the five timesheets  
21 preceding the five signed by Sgt. Love. Sgt. Love had no recollection or explanation for  
22 signing the five timesheets for Willard.

23  
24 Initially, Sgt. Love had no reason to believe that Willard was working 40 hours a week,  
25 and when her work product seemed inadequate for the number of hours Willard was  
26 being paid, Sgt. Love blamed it on Anglin, thinking that he was not being proactive  
27 enough in getting work to and picking up work from Willard. Aside from Captain Miller  
28 and Bruce Tucker, Love also mentioned her concerns about Willard's productivity to  
29 Travis Anglin. It appeared that Anglin was somewhat dismissive of Love's concerns  
30 about Willard and said that they would "butt heads" over the subject. Detectives and IA  
31 staff also had issues with getting transcripts from Willard, especially if they needed them  
32 immediately, so they would give the work to Teresa to ensure a quicker turnaround  
33 time.

#### 34 35 **Brandon Luth**

36  
37 Sgt. Luth said that he was familiar with who Lou Willard was, but said that he had never  
38 seen her in the three years she was employed by MCSO. Luth stated that Willard was  
39 initially under the supervision of Travis Anglin and either Anglin or Captain Miller told  
40 Luth that Willard was a family friend of Chief Hendershott. Luth also learned that  
41 Willard's husband had died and she needed insurance, therefore, so IA and MACE  
42 were supposed to send her work to transcribe. Hendershott indicated that Willard would  
43 be getting paid for 40 hours of a week. Anglin ordered a County computer for Willard  
44 and took it to her home, but Luth did not know if the computer was purchased through  
45 RICO or normal means. Basically, the IA Lieutenant, whether it was Anglin or others,

1 was responsible for taking tapes to Willard to transcribe and they would pick up the  
2 completed work at the same time.

3  
4 Luth said that IA and MACE kept transcription logs for the work they were sending to  
5 the transcriptionists. He thought there were two logs, one for the Administrative side and  
6 one for the Criminal side, where MACE logged their work as well.<sup>15</sup> The logs would  
7 track the parties on the tape, the length of the tape and then the assigned  
8 transcriptionist with the length of time it took to transcribe it. When there was an  
9 abundance of transcription work, IA would use Net Transcripts, but then IA started using  
10 Willard for the overflow, although Luth said that Willard did not necessarily replace Net  
11 Transcripts. Luth indicated that the IA and MACE guys would often complain about the  
12 quality of Willard's work because she would have numerous inaudible declarations as  
13 well as erroneous, off the wall, fragments in the transcription. Sgt. Luth said always  
14 tried to give his work to their long standing transcriptionist, Teresa Turgon, who did a  
15 better job and was described by Luth as one of the best and efficient MCSO employees.

16  
17 When the investigative team advised Sgt. Luth that Willard had only been assigned  
18 124.5 hours of transcription in the 3 years of her employ, Sgt. Luth said that he could  
19 not comment on the accuracy of the calculations, but said that he knew Willard was  
20 assigned much less work than Turgon. Another reason Sgt. Luth depended on Turgon  
21 was because Hendershott would always want an immediate turn around, often within  
22 the same day, so he relied on Turgon. Sgt. Luth had no reason to believe that Willard  
23 was doing any other work for MCSO or Chief Hendershott other than transcription.  
24 Overall, Sgt. Luth's impression was that Chief Hendershott was taking care of Lou  
25 Willard on the County payroll.

#### 26 27 **Andy Mesquita**

28  
29 According to Andy Mesquita, Maricopa County HR Supervisor, Garcia Willard was hired  
30 on July 16, 2007 as an office assistant. Recruitment records indicate that there were  
31 two postings for this position on two separate occasions. The first posting was  
32 sometime prior to June 12, 2007, which elicited over 100 responses; from which a  
33 certification list was issued and forwarded to the hiring department, MCSO, on June 12,  
34 2007. Mr. Mesquita explained that Ms. Willard's application was rejected from the first  
35 recruitment period, as her application reflected that she had no prior clerical or  
36 administrative experience, a minimum qualification for the position. Subsequently, the  
37 position was reposted sometime prior to July 3, 2007 in which they received additional  
38 applications. Garcia Willard reapplied, having made revisions to her application,  
39 replacing her prior employment listing with a secretary position. Mr. Mesquita described  
40 the changes in her applications.

41  
42 Q: What did the first application list and what did the second application list?

---

<sup>15</sup> In fact, there was only one log in use according to the other interviewees, and records produced by MCSO.

1  
2 A: The first application submitted on June 6 of '07 listed dates of  
3 employment of May 2, 1983 to November 30, 1987 it was she indicated self-  
4 employment, she was the owner operator of Young's. The duties listed were  
5 accepting commissions for portraits, landscapes, still life, created works in oil  
6 pastel, water color, silver point, mixed media, provided specialty matting and  
7 framing, including French matting. Those are the details listed on her application,  
8 in her initial application. The second application submitted on June 26 of '07 had  
9 dates of employment of 9/30 of 1988 to 6/30/2003 and employer was Devry  
10 University/ R. Willard and the job title was secretary. And her duties listed were  
11 provided clerical assistance to Senior Professor which included typing graphic  
12 designer vision of laboratory manual, design and development of Devry student  
13 writing assignment guide hand book, prepared performance reviews, online daily  
14 weekly lesson plans and assignments and other projects/ duties as needed. (p. 18,  
15 Exhibit II27)  
16

17 Mesquita indicated that it would be significant for HR to determine whether or not this  
18 position was paid or unpaid, as they use that data while determining salary rate. He  
19 pointed out that, in his opinion, there was a "vast distinction between the two  
20 applications." (p. 28, Exhibit II27) Mr. Mesquita could not, however, provide an  
21 explanation or obtain documentation to provide an explanation for why there were two  
22 postings for the position. He could not discern whether or not this position was  
23 reopened to provide an opportunity for Ms. Willard to qualify for the position.  
24

25 Mesquita explained that ultimately there were three certification lists for this position,  
26 dated June 12, July 3 and July 6, 2007. Willard's name appeared on the third list, but  
27 HR could not locate the return list from the hiring department.  
28

29 Based on the documentation, Mr. Mesquita could tell that there were 9 individuals hired  
30 by MCSO from the June 12, 2007 cert list and 9 different individuals hired from the July  
31 3, 2007 cert list. Mesquita could not locate any documentation to reflect how many  
32 people were hired from the July 6, 2007 cert list. Andy had no reason to believe that  
33 MCSO HR would have this documentation either, as they were only required to maintain  
34 the interview note and selection process notes for 18 months from the date of hire.  
35

36 Mesquita explained that recruitment criteria could be changed to broaden the sample of  
37 applicants applying for a single position.  
38

39 So typically what would happen is we wouldn't use, so how can I explain, so for  
40 example the job announcement that we have you know we have some duties in  
41 here related to transcription, oral dictation or something to that effect so when  
42 we're going to do our initial screening of applicants, if we have hundreds of  
43 applicants who maybe meet the minimum of the high school diploma and six  
44 months of clerical experience we can look at something that's tangible within the  
45 criteria of the job and say okay let's first start and see who has this type of



1 experience and let's go with that group initially. Again, I'm just speculating as to  
2 what criteria would have been used. I can see that as being something that we  
3 could identify and say okay we're going to first consider those that had prior  
4 transcription experience. We're not really asking for something that we didn't  
5 ask for in the job announcement but we're trying to really identify the most highly  
6 qualified group from the pool. That may have made up the July 3 list then the  
7 department came back and said you know what let's just take everyone that met  
8 the minimum qualifications. (p. 23, Exhibit II27)

9  
10 Ultimately, Maricopa County received 453 applications for the admin position and 194  
11 people were put on the certification list between to three cert lists.

12  
13 According to Mr. Mesquita, the dynamics surrounding Ms. Willard's ability to solely  
14 telecommute were unique to her position. Mesquita was aware of one other employee  
15 for the Medical Examiner's Office, who did medical transcription, but he believed that  
16 this employee had to come into the office to pick up and drop off work, unlike Willard.  
17 He also added, "Certainly there's lots of opportunities for telecommuting and  
18 teleworking in today's work environment within the county field work and so forth but it's,  
19 I would say it's a rare instance where someone would exclusively be working out of their  
20 home for Maricopa County." (p. 24, Exhibit II27)

21  
22 Mr. Mesquita provided information about Maricopa County procedure in relation to  
23 timesheets.

24  
25 Q: What are the requirements with respect to employee timesheets? Is an  
26 employee supposed to sign his or her timesheets?

27  
28 A: That's my understanding is that employees should acknowledge and  
29 provide an accurate accounting of their time even if you're working remotely we  
30 have a number of individuals who maybe don't report into the office everyday or  
31 on a routine basis, you know might be out in the field but are having to complete  
32 timesheets and so forth. I believe they're still required to sign off and provide an  
33 accurate recording of their time even with today's technology and so forth I think  
34 you're still able to do so whether it's electronically via email, scanning it and  
35 sending it off, I don't see why as a county we wouldn't require an employee to do  
36 so or not have that ability.

37  
38 Q: What does the signature of the supervisor on an employee timesheet  
39 represent at least from the standpoint of your office?

40  
41 A: Basically the supervisor has reviewed the time and the coding and so forth  
42 and acknowledges approval of it. In my instance, using me as an example, I have  
43 staff that record their time every pay period and before payroll runs I am required  
44 to go in and review their time, ensure that it's accurate, that the number of hours

1 reported is accurate, that the codes used are accurate, that we've accounted for  
2 any vacation time, any time off, anything of that nature appropriately.  
3

4 Q: Andy what about this particular situation, and I describe to you where a  
5 person for over three years has almost exclusively if not exclusively worked  
6 entirely out of their home and essentially has no contact with any other employees  
7 of the county except telephonically. But, what do you do in terms of verification  
8 if you're a supervisor and that's the circumstances?  
9

10 A: That's a great question. I would say that it would just for me as an HR  
11 professional it would raise questions for me to say you know how are we not only  
12 effectively monitoring their time but also what types of performance plans do we  
13 have in place what are supposed to be accomplishing during this time. How are  
14 we able to monitor and evaluate their performance if the individual is not on site  
15 or at least on site for some amount of time in order to evaluate and monitor their  
16 work performance? (pp. 24-25, Exhibit II27)  
17

18 Andy Mesquita then reviewed Garcia Willard's timesheets from July 2007 to present,  
19 essentially 3 years of timesheets and he immediately noticed that there were only 2-3  
20 days where she took meal breaks during her scheduled shifts. He also noted that there  
21 were instances of holiday pay, but no sick time or FML time notated, which for a 3 year  
22 tenured employee, he considered to be very rare. Mesquita also noticed that Willard  
23 consistently started and ended her work day at the exact same time every day, with no  
24 fluctuation, which is also rare to see for a 3 year time period. Furthermore, Mesquita  
25 expressed his concern with the fact that it did not appear that Willard completed her  
26 timesheets herself.  
27

28 Q: Have you seen situations where employees who were working essentially  
29 out of their home actually complete their timesheets at home and send them in?  
30 In this particular set of circumstances none of the time sheets were completed by  
31 her, or very few of them were completed by her. You can see a name down at the  
32 bottom. But as we understand it she did not complete the timesheets herself there  
33 was a clerical person in the particular unit to which she was assigned who  
34 completed the forms and then the supervisor would basically sign off on the forms  
35 as you've seen.  
36

37 A: Okay. I can say for you know from what I'm aware of out in the field  
38 again we have a lot of employees out in the field constantly and may not be in the  
39 office back to fill out a timesheet at work but again someday or another the time  
40 would be communicated to their supervisor, whether it's an email table of here are  
41 the hours I worked today my group we enter our time electronically into our  
42 timekeeping system and it varies from department to department. So this could be  
43 perfectly appropriate for their division but it would concern me that an employee  
44 especially if they're not even the ones who are communicating this time, that  
45 someone is completing it for them, having the supervisor sign off on it, I would

1 want to know how are we arriving at these times and you know from the  
2 employee specifically. It just seems like that would be, you know even if you're  
3 working out of your home there's still information you need to obtain so how do  
4 they communicate that information to her. Is it via email, is it over the phone?  
5 I'm sure there's meetings or things that take place in which she would have to be  
6 involved in or at least available to hear the information. So if opportunities are  
7 made in those instances I don't see why a time sheet wouldn't be, you know  
8 would be very easy to have a template of this saved off and they just fill it in  
9 electronically and submit it. Yeah I mean that's certainly something that would  
10 be concerning to me as a supervisor or manager. (pp. 27-28, Exhibit II27)

11  
12 **Jim Miller**

13  
14 Miller indicated that he was told by Chief Hendershott that Lou Willard was a widow who  
15 had some issues. She needed some financial help, and needed something to keep her  
16 occupied for her own good. Hendershott represented that she could do transcription  
17 work and Miller indicated that he would bring her on board at IA. Hendershott also  
18 indicated that Willard had various phobias, and did not want her coming downtown, but  
19 rather she would be telecommuting, and working from her house. Hendershott asked  
20 Miller who could be in charge of this, because he wanted the matter handled with "kid  
21 gloves." When Miller suggested that he would assign Willard to the Lieutenant,  
22 Hendershott blessed that, and said that he did not want some Sergeant calling her up  
23 and upsetting her. He conveyed these instructions to the Lieutenant who was on board  
24 in IA at the time that Willard started, who was identified as Travis Anglin. Miller  
25 indicated that he has never spoken with Willard, nor has he ever seen her. Miller had  
26 nothing to do with who had made the arrangements for the position to be available and  
27 funded for Willard's.

28  
29 Miller had no knowledge as to the quantity of work the Lou Willard did for MCSO, and  
30 he did not review it or pay attention to the transcription log. He did not know how much  
31 work she had been assigned.

32  
33 When asked whether Miller have ever been approached by any of the Lieutenants or  
34 Sergeants, expressing concern about signing her timesheets, Miller's response was as  
35 follows.

36  
37 A: I don't remember, I don't remember anything about a time sheet. I know  
38 that Travis, I think it was Travis Anglin, when he brought in her appraisal, annual  
39 appraisal, he sat it down, he sort of laughed a little bit and he goes, well, here's  
40 the appraisal according to what I've been able to observe, you know, seeing as  
41 how she's, she does her work out of her house and I said, well, is it enough to get  
42 an appraisal, and he goes well, I wrote down what I could, so, but he goes, does it  
43 really matter, the Chief said he wants her here, so, I said, well, okay. He was  
44 doing it more of a joking manner of a very odd situation. I don't recall anybody

1 making a comment to me about, I'm not going to sign this woman's time sheet,  
2 'cause she's not here. (pp. 64-65, Exhibit II28)  
3

4 **Lyzandra Ovist**  
5

6 Ms. Ovist said that she was familiar with Lou Willard, who was a transcriber who  
7 telecommuted, she has only met her once, on the day Willard was hired. Chief  
8 Hendershott directed Lyzandra to use her personal vehicle to pick up Lou Willard from  
9 her home and take her to Concentra Medical for her physical exam. Ovist also took  
10 Willard for her pre-employment fingerprinting. Ovist guessed that Willard was  
11 approximately 64 years old and said that she had to use her cane and/or walker to get  
12 around. The entire process took about 6 hours, but Ovist was not with Willard the entire  
13 time, she just picked her up and dropped her off at the various locations. During that  
14 time, they did not discuss the nature of Willard's disability and did not discuss her prior  
15 experience working in a secretarial capacity.  
16

17 According to Lyzandra, Chief Hendershott has four chalk drawings by Lou Willard in his  
18 conference rooms. Lyzandra did not know if Willard was a renowned artist or if art was  
19 just a hobby. During her time with Willard, Ovist said that she appeared to function  
20 normally and did not display behavior suggesting she was [REDACTED] Lyzandra  
21 understood that Chief Hendershott and Lou Willard knew each other and Lyzandra was  
22 aware that Lou's husband had passed away, but she did not know the name of Lou's  
23 deceased husband or his prior occupation.  
24

25 Since that day, Lyzandra has not spoken to or seen Lou Willard. They have exchanged  
26 maybe two emails, but that was only to get a recipe for zucchini bread. Ovist  
27 understood that Willard's job was to transcribe tapes and/or interviews for investigations  
28 from IA and Professional Development. She did not know if Willard did any transcription  
29 for MACE investigations. Lou had sent a "goodie bag" for Chief Hendershott with 5  
30 loafs of zucchini bread, which Hendershott shared, and they asked Lyzandra for the  
31 recipe. She did not know if Chief Hendershott ever visited Willard at home, but when  
32 couriers would pick up tapes from Willard, the couriers would return, at least twice a  
33 month, with gifts for Hendershott, including Boost drinks, Muscle Milk, homemade  
34 oatmeal cookies, vitamins and bags of cashew and nuts.  
35

36 Ms. Ovist did not know how much work was assigned to Willard or her typing speed.  
37 She knew that Willard was a friend of Hendershott's family but Hendershott never said  
38 that he was trying to help Willard and never said anything about her needing health  
39 insurance. Lyzandra never sent any work to Willard and was not aware of Chief  
40 Hendershott sending any work to Willard either.  
41

42 **Kip Rustenburg**  
43

44 Lt. Rustenburg explained that they had a new transcriptionist for IA, Lou Willard, but  
45 said that the quality of her work was poor, so they tried to use Teresa Turgon instead.

1  
2 Q: Alright. Well, tell us a little, what you know of the situation involving  
3 Garcia Lou Willard, the transcriptionist who has been employed, for your  
4 information, by the department since July of 2007.

5  
6 A: Wow. I was told that we now have a new transcriptionist, that if we need  
7 anything transcribed that tapes will be dropped off to her and transcripts will be  
8 picked up from her. Whenever we did have her do any, the quality was very poor,  
9 lots of typos, she didn't understand legal that we usually used and usually there  
10 were words that made no sense in there. So, we basically had to go through and  
11 redo the majority of the, the work.

12  
13 Q: Did she ever catch on?

14  
15 A: No, not in my time there. We always went to Teresa, who, she's awesome  
16 and there was Kathy Ellis there for awhile that did it from the home, but it was  
17 piece work, it wasn't a 40 hour week like Willard was. And there were times  
18 when there was no work and she's sitting at home getting paid, and when we did  
19 turn work in that, not only was the quality incredibly poor, but the time turn  
20 around, it took her weeks, sometimes, for a couple page transcript to get back. So,  
21 I don't know what she was doing for 40 hours. I, myself, never personally  
22 dropped them off or picked up tapes. I know that Travis used to, Anglin, and I  
23 don't know who was doing that when, you know, Travis left, 'cause I was on the  
24 other side, but we never utilized her. (pp. 46-47, Exhibit II32)

25  
26 According to Lt. Rustenburg, there were times in Criminal IA, when Lieutenants would  
27 make rounds trying to round up work for Willard, but they would say there was no work  
28 because they did not want Willard to do it, then they would turn around and ask Teresa  
29 to do the transcription instead. Although Lt. Rustenburg could not recall Chief  
30 Hendershott giving the direct order to IA to send work to Willard, everyone was aware  
31 that Willard was a friend of Hendershott, working from home, and knew that they were  
32 supposed to keep her busy. Lt. Rustenburg said that Travis Anglin was responsible for  
33 taking work to and from Willard's home. Rustenburg had expressed her concern about  
34 Willard's quality of work to Anglin more than once, but Anglin basically told her that his  
35 "hands were tied." Apparently, the Admin side of IA did not like sending work to Willard  
36 either. Lt. Rustenburg was not aware of the positive EPAs that were completed on  
37 Willard by Anglin and the other Lieutenants. She was also not aware of any pressure  
38 exerted on any of the Lieutenants to prepare Willard's EPAs in any certain way.

39  
40 Lt. Rustenburg acknowledged that the transcription log was used on a fairly regular  
41 basis by the IA teams, but she was rather taken aback by the fact that Willard had only  
42 reportedly been assigned 125 hours of audio to transcribe in the 3 years and 2 months  
43 of her employ. She was not aware of any work given to Willard other than what was  
44 logged and she was not aware of Hendershott giving her any assignments of a  
45 confidential nature. Furthermore, Lt. Rustenburg was not aware of the directive to

1 Willard to "read policy" if she did not have any work.

2  
3 **Charles Siemens**

4  
5 Siemens transferred to Internal Affairs in January 2010, replacing Lt. Paul Ellis as the  
6 Administrative IA Commander, and Ellis became the Criminal IA Commander. At the  
7 beginning or middle of February 2010, Siemens became aware that Ms. Willard was an  
8 employee assigned to IA. One of the investigators in IA had mentioned that there was  
9 another transcriptionist who worked from home, and recommended that Siemens check  
10 with Paul Ellis about the arrangements. Subsequently, Siemens conferred with Teresa  
11 Turgon, the in-house transcriptionist, who was somewhat backlogged but made mention  
12 of Willard's availability. Subsequently, Siemens met with Paul Ellis, and he explained  
13 that Willard had a "unique arrangement" with the Sheriff's Office, and that she was a  
14 friend of Chief Hendershott. Ellis had been supervising Willard since he had taken the  
15 position. Ellis explained that it was an unusual situation, where the Lieutenant had a  
16 remote control to her garage door, and that she was "a little bit [REDACTED]" Ellis gave  
17 Siemens the remote control, explained that Ms. Willard was a very nice lady, and that  
18 she liked to talk on the phone. He explained that the Lieutenants took material up to  
19 her, opened the garage door, and placed CDs on a little white plastic chair in the  
20 garage. As Ellis explained it, Willard called when the transcription was done, and he  
21 would go up and pick up the transcripts. Paul indicated that he had very little face to  
22 face contact with Ms. Willard, and in fact had only seen her on one or two occasions.  
23 Ellis explained, "Well, I have a relationship with her and I think the Chief wants her,  
24 being Chief Hendershott, wants her to be comfortable with whoever she's dealing with",  
25 so he just continued to deliver things or pick up things from her. In approximately  
26 March, when Ellis transferred to Aviation and left the criminal side, he gave Siemens the  
27 remote, and Siemens and Sgt. Cory Morrison began delivering audio out to her home  
28 for transcription.

29  
30 Siemens confirmed that IA has a transcription log, a database or spreadsheet, that is  
31 used to track which audio recordings have been given to which transcriptionist, on what  
32 case, and the length of the audio. According to Siemens, the transcription log definitely  
33 covered the period of time in which Lou Willard has been employed by MCSO, which  
34 started in July 2007. As far as Siemens knew, Teresa Turgon has been keeping the log  
35 which pertains to not only work that she does, but what other persons do.

36  
37 Siemens indicated that IA made calculations about the number of hours of audio  
38 recordings that had been given to Lou Willard from July 2007 through September 10,  
39 2010. Sharon Machado, the Administrative Officer, calculated, based on the  
40 transcription log, that Willard had been given 124.3 hours of interview audio for  
41 transcription. Teresa Turgon advised that it takes her approximately four hours of  
42 typing time to transcribe an hour of audio. Siemens explained that using that multiplier,  
43 124.3 hours of audio translates into 497 hours of work time.

1 The last entry in the log reflecting that Willard received work, prior to February 2010,  
2 was in the prior September 2009. The first entry in 2010 was in approximately  
3 February, which suggests that, if the log was correct, she was given no transcription  
4 work from September 2009 to February 2010, a period of over 5 months.

5  
6 According to Siemens, he infrequently made trips to Willard's residence in large  
7 measure because Teresa Turgon is extremely efficient. According to Lt. Siemens, the  
8 period from March to the end of September 2010, he was trying to get work out to her  
9 on a weekly basis, he indicated that at some point, Teresa sustained an injury and  
10 broke her wrist, so she was out for a period of time, during which Lou Willard received  
11 more transcription work. Eventually, IA started using a transcription vendor, Net  
12 Transcripts, but in that interim period, after Teresa was injured and before Net  
13 Transcripts was engaged, most everything was going to Lou Willard, so Siemens was  
14 frequently out to her residence. He believes that the time frame, of when he was taking  
15 work out to Willard regularly.

16  
17 According to Siemens, Ms. Willard did not get any rush assignments, because of the  
18 "horrendous turnaround times" on the transcription work that had been given to her.  
19 Teresa returned, on or about July 1, 2010, the volume of work sent to Lou Willard was  
20 vastly reduced, because Teresa could do the work.

21  
22 In approximately May or June 2010 he received Ms. Willard's evaluation to complete,  
23 and it was about that time that he got called up to Chief Hendershott's office. This was  
24 in the time frame where Willard was filling in significantly for Teresa, who did not return  
25 until July 1. In this time frame, Siemens was not getting a lot of complaints from the  
26 investigative staff about the quality of her work, at least as up to that point, but as time  
27 progressed into the summer there were more complaints, increasing problems with the  
28 errors and the transcript, and longer turnaround times.

29  
30 Lt. Siemens' description of his meeting with Chief Hendershott, concerning the  
31 performance evaluation of Ms. Willard, was as follows.

32  
33 A: I got a phone call. I was sitting in my office and I got a phone call directly  
34 from the Chief and he said, "Hey, can you come up to my office?" So I  
35 scrambled up there. I was kinda expecting it to be a, a new case or something like  
36 that that we were being given. And I got, it was a friendly meeting and it was  
37 basically, "Hey," you know, "how are you doing?" "Everything's great." I just,  
38 you know, I kinda get the hand on the shoulder and just, you know, "I want you to  
39 take care of Lou. She's got," you know, "kind of a hard life and I know she can  
40 be a little bit of a," you know, "labor intensive as far as," you know, "listening to  
41 her talk and things like that." He went into a little bit about her being  
42 [REDACTED] and not being able to come out of the house much and that her  
43 husband, she was a widow, and her husband had died of cancer and some things  
44 like that. And that was basically the extent of the conversation. I'm like, "Okay."  
45 (p.15, Exhibit II38a)

1  
2 Q: Well, what did you take away from that discussion with Chief  
3 Hendershott?  
4

5 A: You know, I, I had taken, and this was shortly following a, a little  
6 back and forth that Lou and I had had because one of the things that she would do  
7 when we would pick up transcripts is she would leave little gifts for Hendershott  
8 to take back with us. You know, "Since you're going, here's a jar of peanut  
9 butter or a little thing of boost shakes," or whatever, you know. "Can you take  
10 these up to the Chief's office," which, isn't really a problem cause we're, you  
11 know, headed that way anyway. It was a little annoying for me cause some of  
12 these things were, you know, a case of boost shakes and I've got a bad back  
13 which I must apologize for. I'm kind of slouching because of it right now. But,  
14 you know, lugging these things around 2 blocks from a parking lot. But, yeah,  
15 and there was a, there was a time where I brought in, and I believe it was some,  
16 you know, some energy shakes or whatever that were for the Chief. I brought em  
17 up. Lyzandra Ovist, whose his Executive Assistant, had said, "Boy, more of these  
18 from Lou and," you know, "I'm out of room for all this stuff." You know. "He's  
19 got a whole bunch of them that she sent. He doesn't drink them," or something  
20 like that. "He likes some other kind." And she's like, "Oh, Lou's just being  
21 nice." And she said, you know, "Can you just take em back and tell her we don't  
22 want..." So I, you know, next time I dropped something off, I took that whole  
23 thing of boost shakes back with a little note going, you know, "Hey, Lyzandra  
24 says the Chief's got plenty of these," you know. (p. 15, Exhibit II38a)  
25

26 Siemens indicated that when he got the "be nice to Lou" talk from Hendershott, as  
27 Siemens described it, he took that to understand that he needed to put up with her  
28 sending things and not take it. When asked if Hendershott had given Siemens any  
29 direction about how he should rate Ms. Willard in the various categories in her  
30 performance evaluation, Siemens comments were as follows.  
31

32 A: No. But, you know, in retrospect now, I mean, I can, it's, it's one of these  
33 things that I wasn't inclined to give her a horrible eval. You know, I did nothing.  
34 I, you know, I didn't put anything in there that I didn't believe, but it was worded  
35 perhaps a little flowery than I might've normally. You know, it was, I think at  
36 that point of the evaluation...  
37

38 Q: Well, did you word it in that way at the suggestion of Hendershott?  
39

40 A: No, no. There was no suggestion. But, I mean, it's, it's a perception from  
41 what Paul Ellis had told me that, you know, she's a friend of the Chief's, you  
42 know. He apparently got a "take care of Lou" talk, too. And then, you know, I  
43 get that, that speech where I got the impression from him that he was, you know,  
44 had, had close feelings for her and, for whatever reason, I don't know. (p. 16,  
45 Exhibit II38a)



1  
2 Siemens initially claimed that the information that he got from Ellis and the information  
3 he got from Chief Hendershott did not influence the outcome of the performance  
4 evaluation he had prepared for Lou Willard.

5  
6 Siemens then acknowledged that he was a little more "flowery" in his descriptions, and  
7 he did not include negative aspects, such as the inaccuracies. As he put it, "I left that  
8 out and probably, yeah, just because, yeah, I'm concerned about there being  
9 repercussions down the line." When asked for whom there would be repercussions,  
10 Siemens answered, "for myself, absolutely." (p. 17, Exhibit II38a) The following  
11 dialogue then took place during the course of the interview.

12  
13 Q: So I'm going to ask you the question again. Do you believe that you were  
14 influenced by the information that you received from Paul Ellis and the  
15 information that you received from Hendershott during the course of the meeting  
16 that he called you up to have with him, relating to her performance evaluation?

17  
18 A: Yeah, I think, I think so. I, you know, and no one said, you know, don't  
19 write a bad evaluation for Lou. But yeah, I think in the totality, it would've been  
20 an influencing factor, yes. (p. 17, Exhibit II38a)

21  
22 Siemens acknowledged that he was always "a little uncomfortable" about whether Ms.  
23 Willard was actually working 40 hours a week, which she was being paid but she  
24 mentioned that she was also doing work for Chief Hendershott, although Siemens never  
25 delivered anything from the Chief to her. He had no idea what work she may have been  
26 doing for Hendershott, unless it was transcription. He has no idea whether she was  
27 really performing work for Chief Hendershott.

28  
29 Siemens indicated that as he became more familiar to the staff at IA, they were more  
30 frank with him about Lou Willard's performance, for a period of approximately four to  
31 five months into his work at IA in 2010, the investigators would complain about the  
32 inaccuracy of Lou's work, and indicated that they spent more time correcting the  
33 transcripts than it would to type it themselves. (p.19, Exhibit II38a) There were also  
34 problems with turn around, where a two hour interview was taking two weeks to be  
35 transcribed. Lt. Siemens indicated that a lot of the complaints about accuracy and  
36 timeliness emerged after he had completed the performance evaluation.

37  
38 One of the things that Siemens noticed in her transcriptions was that she would include  
39 references to all noises, such a coughing noise, jiggling keys, rustling papers, and in  
40 response, Lou Willard told Siemens that Dave (Hendershott) told her to "put everything  
41 down I hear." Siemens told her that she did not have to do so, and from her view, she  
42 appeared to have become a little offended by his comment.

43  
44 When asked what the supervisor's signature on the time sheet signifies, Siemens  
45 indicated that it signified "approval of, or recognition for submission of the time sheet."

1 When asked whether the supervisor signature constituted vouching that the time sheets  
2 were accurate, he did not believe that this was the case, because time sheets are  
3 basically filled out by the employees themselves. Willard's time sheets were completed  
4 by Sharon Machado. According to Lt. Siemens, the only hourly employee for whom Ms.  
5 Machado completes a time sheet, has been Lou Willard. Lt. Siemens acknowledged  
6 having signed Ms. Willard's time sheets from the pay period of February 7 to the pay  
7 period ending September 19, 2010, except for one pay period, in May of 2010, where  
8 the time sheet was signed by Cory Morrison.

9  
10 Lt. Siemens was asked whether he felt uncomfortable being Ms. Willard's supervisor.  
11 The interchange in the investigative interview went as follows.

12  
13 Q: Chuck, did you feel uncomfortable as a supervisor with this particular  
14 situation?

15  
16 A: Absolutely.

17  
18 Q: Did you express your discomfort with anyone?

19  
20 A: Yeah, I talked to Ken Holmes about it a little bit. I mean, its, it's been  
21 since we both, he arrived there shortly before I did and we were a little, a little  
22 dumbfounded by, you know, what was, what was going on. I mean, it was, it's  
23 just very odd and close to 17, 18 years in this office, I've never seen an employee  
24 like this. In fact, I was even, as I've been finding out more as we've researched  
25 things, its striking me as more unusual as we go along because my, my  
26 assumption was always that she was, you know, type of a temporary worker. I  
27 wasn't familiar with what her actual employment category was. You know, cause  
28 I know we've hired some other people that were temps or whatever they were,  
29 you know, not, not the greatest paid folks. As, you know, shortly after this memo  
30 came out, I brought up the, I saw this section here on friends and family members,  
31 etc., and I noticed that she wasn't on the list and I actually brought that up to Ken  
32 and went, "Hey, there's somebody absent here from the memo." And, you know,  
33 and said, "Is there anything that we can do to," you know, "get her to either show  
34 up to work or address it and..." Ken brought it up to our Chief, Terry Young,  
35 and shortly thereafter, I was told that we were looking into, you know, actually  
36 researching what her position title was. I think, I think Ken actually did that, but  
37 found out that she was actually listed as a, I believe it was Office Assistant  
38 Specialized with a pay of roughly eleven something an hour which I, I, I was a  
39 little shocked that she was actually holding an Office Assistant position because  
40 those are generally reserved for, you know, actual people that are working a  
41 district and things like that as opposed to a, you know, secretary and work from  
42 home. I would think it would be a temporary assistant type job. And then, you  
43 know, obviously, we're going through and the amount of work is, I knew it  
44 wasn't, you know, a ton, but when you look at this, it's like holy cow, that's...  
45 (p. 23, Exhibit II38a)

1  
2 Siemens indicated that he's had only one discussion with Chief Hendershott about Lou  
3 Willard, and this occurred shortly before he completed her performance evaluation.

4  
5 Lt. Siemens provided the following additional information.

6  
7 Q: Did you, in your conversation with Chief Hendershott, express any  
8 concerns that you had about the way things were going with her?

9  
10 A: No.

11  
12 Q: And the fact that she was never in the office and the fact that she was  
13 being paid, according to the timesheets, 80 hours per pay period?

14  
15 A: No, I didn't. Yeah, he kinda pre-emptedly addressed the telecommuting  
16 issue when he mentioned that, you know, she's [REDACTED] You know, ever  
17 since her husband died, she doesn't go out much, things like that. And I was not  
18 in a position that I felt comfortable correcting him on what I believe is something  
19 that he created.

20  
21 Q: Did you have any fear of retaliation if you did make an issue out of this?

22  
23 A: I think so, yeah. I mean, that's why I didn't make an issue of it. (p. 24,  
24 Exhibit II38a)

25  
26 During the second interview of Lt. Siemens, on November 5, 2010, he relayed that  
27 Teresa Turgon went out on surgery on March 31 and had been injured on or about  
28 March 18, 2010. She was off work, Siemens estimated, from mid to late March until late  
29 April or early May. He also determined that the first work sent out to Net Transcripts,  
30 the contractor, was on April 7 and the last work was on June 3, 2010. This pattern led  
31 Siemens to the conclusion that Net Transcripts had basically picked up and did the work  
32 that Teresa Turgon could not do with some overlap.

33  
34 Siemens indicated that Ms. Willard was transferred to Personnel Services Division  
35 effective October 18, 2010. This was after Ms. Willard had been out on leave, and she  
36 was told that she needed to come back to work.

37  
38 **Teresa Turgon**

39  
40 Ms. Turgon indicated that she has never met Garcia Lou Willard and has never spoken  
41 with her. At one point in time, Sgt. Love told Turgon that they had hired another  
42 transcriptionist named Lou Willard. During this time, Turgon's workload was pretty  
43 heavy, so she was happy that there was going to be somebody else to help her.  
44 Turgon was also told that Willard was in her 60's and was going to work from home.  
45 Turgon was under the impression, for some reason, that Willard had medical issues, but

1 she never knew what those issues might be. Sgt. Love also told Turgon that Willard  
2 knew Chief Hendershott and Love expressed some concern with the new hire, but  
3 Turgon was basically happy to have assistance.

4  
5 MCSO also used a transcription service called Net Transcripts, which they just recently  
6 used again in March 2010 when Turgon broke her wrist and was unable to type. When  
7 she returned to work 2 weeks later, she still could not type, but helped verifying  
8 transcripts that were coming back from Net Transcripts and correcting formatting.  
9 During her absence, Ms. Turgon was under the impression that her work was going to  
10 Net Transcripts and maybe Lou Willard.

11  
12 When Turgon started with MCSO, they maintained a handwritten transcription log and in  
13 2006 they started using a computerized Excel spreadsheet, at approximately the same  
14 time they started using Net Transcripts. One of the purposes for the spreadsheet was  
15 to collect quantitative data so that they could see if they could justify hiring another  
16 transcriptionist.

17  
18 Ms. Turgon did not know Willard's exact hire date, but said that recently Administrative  
19 Sergeant Sharon Machado asked her to collect data on Willard and Turgon could not  
20 find record of her prior to July 2007, so she assumed that Willard started with the  
21 County around then. Turgon explained that Machado is in the same office as Turgon  
22 and is handling paperwork for Administrative Leave. Turgon printed out the report,  
23 reflecting the number of hours of audio assigned to Willard during the course of her  
24 employment and she gave it to Machado, without doing any type of evaluation of the  
25 data.

26  
27 The investigative team advised Ms. Turgon that the reports they received reflected that  
28 Willard had been assigned 125 hours of audio during the course of her employment.  
29 Because of the request, Turgon was curious how her stats held up to Willard's and she  
30 just ran a report reflecting how many items she had been assigned as compared  
31 Willard's. Ms. Turgon could not recall the exact numbers, but recalled that she found  
32 that she had been assigned 4-5 times the amount of work that was assigned to Willard  
33 in the 3 months prior to her running the report. This statistic seemed to hold true when  
34 the scope of the comparison broadened to July 2007 to present, and Turgon recalled  
35 that she had somewhere around 700 assignments compared to Willard's 125.

36  
37 Based on Turgon's experience as a transcriptionist, she estimated that it takes her  
38 approximately 4 hours to complete transcription of 1 hour of audio. When MCSO staff  
39 started to complain about Willard's turnaround time, Turgon thought to herself, that  
40 Willard might even take 8-10 hours per 1 hour of audio until she gained more  
41 experience in transcription. She also thought about it in terms of pages, Turgon  
42 averaged 10 pages of text an hour, so she speculated that Willard could have been  
43 completing 3-4 pages an hour.

44  
45 Ms. Turgon would hear feedback about Willard's work product and there were

1 complaints that Willard's turnaround time was slow, but Turgon justified it by thinking  
2 Willard was spending too much time inserting background noise. When there were  
3 complaints about unfinished products, where the transcript ended before the audio did,  
4 Turgon chalked that up to technical issues. More recently, however, Turgon has heard  
5 comments like, "It wasn't too bad." Turgon made further justifications for Willard's  
6 shortcomings as a transcriptionist, saying that Turgon had an advantage over Willard  
7 because she was in the office and knew people's voices, which gave her a leg up on  
8 Willard.

9  
10 Ms. Turgon was not aware of Willard ever taking any time off since she began working  
11 for MCSO. Turgon advised the PCSO team, upon inquiry, that she earned \$14.35 since  
12 fall of 2007. When Turgon was a temporary employee in 2003, she was paid \$9.74 and  
13 when she was hired on permanent with MCSO in 2005, she earned \$9.05 an hour. On  
14 one occasion, Turgon helped distribute pay stubs and Turgon saw that Willard was  
15 making \$10-11 an hour. She was not aware of Willard making more money than her.  
16 Turgon's increase was sizeable based on the results of a salary survey, which resulted  
17 in a market increase.

18  
19 Ms. Turgon admitted that there were times that she questioned whether or not Willard  
20 was getting enough work to make her a full time employee, working 40 hours a week,  
21 but she never mentioned her concerns to a supervisor. Turgon's take on the situation  
22 was that she was just glad there was someone there in case she needed help.

23  
24 According to Ms. Turgon, Sgt. Love explained to her that someone from MCSO would  
25 be taking work to Willard and from time to time she would be approached and asked,  
26 "What do you have that we could take out to Lou?" This kind of inquiry became routine.  
27 She pointed out that when Travis Anglin was in IA, he was the liaison between MCSO  
28 and Willard.

29  
30 In approximately December 2009, Turgon had a short conversation with Lt. Paul Ellis  
31 and learned that Willard may be working on projects other than the transcription coming  
32 from IA. Lt. Paul Ellis brought work back from Willard and asked Turgon if she had any  
33 additional work for Willard. Turgon told him she did not have anything else and said she  
34 believed that Willard did not have any work at that point. Ellis told Turgon that Willard  
35 had some other things she was working on and Turgon was surprised, as she was not  
36 aware that Willard worked on anything else.

37  
38 Ms. Turgon explained that as far as the transcription log, which the investigative team  
39 did not have at this point in the investigation, the cases were logged the same with the  
40 case number or DR number, but they could tell if the investigation was being conducted  
41 by Administrative IA, Criminal IA or MACE based on the name of the assigned  
42 investigator.

43  
44 Ms. Turgon indicated that she rarely spoke with Chief Hendershott, other than  
45 exchanging greetings. There was one occasion that she was called to Hendershott's

1 office with Officer Daniel Beck, but it was only for Turgon to prepare a transcript of a  
2 telephone call for him. She could not recall who the telephone call was with, but  
3 believed the other party was a male who was not a MCSO employee, maybe an IT  
4 person.

5  
6 When Ms. Turgon first started with MCSO, as a temp, she was given work to complete  
7 at home because the MCSO computers were not set up yet. This practice ended after  
8 3-4 weeks. Turgon was offered the chance to work 10 hour days, but she declined  
9 because she wanted to have time with her family. Since then, there have been some  
10 other occasions when Turgon has worked from home, but it is not on a regular basis.  
11 Ms. Turgon indicated there was one other transcriptionist, Kathy, who left MCSO in Fall  
12 2009, but said she started prior to Willard. She was a dispatch operator for MCSO and  
13 did transcription work part-time from home.

14  
15 **David Hendershott**

16  
17 Hendershott indicated that he met Roger and Lou Willard some 18 years ago, when he  
18 was selling real estate off-duty, and they were part of a partnership that purchased a  
19 home Hendershott was selling for a client. Hendershott indicated that Roger Willard,  
20 who worked at Devry, and he became good friends, went fishing together and  
21 socialized. Hendershott's family considered the Willards as family. Roger Willard died  
22 from [REDACTED] approximately a year and a half before Lou Willard began employment for  
23 MCSO in July of 2007. According to Hendershott, Roger Willard's death was very  
24 difficult for Lou Willard, who had a very difficult life. Roger was her first love, they were  
25 separated, and then got together years later and then married. According to  
26 Hendershott, Roger was Lou's entire life.

27  
28 Hendershott advises that when Roger passed away, Lou Willard was very distraught,  
29 and Hendershott was concerned that she had suicidal ideas. Additionally, Lou had  
30 medical issues that basically tied her down to her home, because the medication she  
31 was taking. He did not believe that she was [REDACTED] but suggested this might be  
32 an issue. According to Hendershott, Ms. Willard has apparently had a history of [REDACTED]  
33 [REDACTED], and went on in the interview to describe other ailments, as reflected on pp. 53-  
34 54 of Exhibit II16d.

35  
36 Hendershott went on to claim that after he had gone out on medical leave, and then  
37 administrative leave, what the Sheriff's Office had done to Ms. Willard was "100 percent  
38 actionable." Hendershott claimed that he conveyed his concerns to County counsel  
39 (Clarisse McCormick). He claims that the county lied to her as to why her job "went  
40 away." As he put it, "this stuff that she didn't do her job, this was the greatest thing in  
41 her life and I'll tell you the reason why I'm suggesting that she consider doing something  
42 is because she was just sitting at home doing nothing so he talked to Loretta Barkell...."  
43 (p. 54, Exhibit II16d)

1 Hendershott advises that it was his idea for Lou Willard to work for MCSO, because he  
2 thought that it would "save her life." Hendershott continued.

3  
4 A: Give her something to do. Just so you know her pay was at the absolute  
5 minimum, the issue was not the money, the issue was that she had to do  
6 something to take her mind off the death of Roger. (p. 54, Exhibit II16d)

7  
8 Hendershott indicated that he talked to Loretta Barkell, explained all of her medical  
9 issues, told Barkell that Willard could not drive, and explained that she needed  
10 something to do. This was during the timeframe, Hendershott advises, that the County  
11 was promoting work from home plans and telecommuting. Loretta Barkell reportedly  
12 asked Hendershott what her skills were, and Hendershott said that she was very skilled  
13 at the computer, and had helped Roger Willard, her husband, get through school.

14  
15 Hendershott claimed that she got medical coverage from Devry, as part of a severance  
16 package following Roger Willard's death, so that was not an issue. According to  
17 Hendershott, the issue that concerned him that she was going to die if she did not get  
18 over the death of her husband. As Hendershott put it, "I will tell you I did it for altruistic  
19 purposes and that's why I approached Barkell and said is there anything that this lady  
20 can do." (p. 55, Exhibit II16d) Barkell asked if Willard could do transcripts, because at  
21 that MCSO already had persons transcribing from home.

22  
23 According to Hendershott, Willard came down to the MCSO offices, met with Loretta  
24 Barkell, and they set her up on a telecommuting operation. She was posted in Internal  
25 Affairs, and because Willard did not even want to be seen by others, Hendershott says,  
26 an "accommodation" was made that items that needed to be transcribed would be left  
27 on a chair, and the supervisor was given a garage door opener. According to  
28 Hendershott, Lieutenant Travis Anglin lived out "that way," dropped off items at Ms.  
29 Willard's house, and reported back to Anglin that she was "doing great" and was  
30 "terrific." (p. 56, Exhibit II16d)

31  
32 The following exchange took place during the course of the interview.

33  
34 A: She's going to die. I honestly thought she was going to kill herself. I  
35 really thought as a matter of fact after Roger died...

36  
37 BABEU: So are we in the business of helping to change the function the  
38 purpose of the office or to make something work for somebody else because they  
39 have a situation and we're going to make it work? They may not be the best  
40 person, they may not be the most efficient because we've got people who say she  
41 falls far below the productivity of somebody who's transcribing like less than  
42 forty or fifty percent of what should be expected for that given position. So do we  
43 do things like that just because my God she's got a difficult situation?  
44

1 A: Okay, I will tell you when she was hired Travis told me she was doing an  
2 excellent job okay, her whole attitude changed like she had, her attitude changed  
3 like she had something to live for in life.... (pp. 56-57, Exhibit II16d)  
4

5 Hendershott claimed that he never received any information that her work was deficient.  
6 At this point in the interview, when the issue arose that Hendershott may have  
7 suggested to Lieutenant Chuck Siemens how he should write Willard's appraisal,  
8 Hendershott to a swipe at Siemens, asserting the Siemens worked for Munnell, for  
9 years, and Siemens considers Frank Munnell his mentor.

10 Hendershott went on to grossly mischaracterize the evidence, diverting attention from  
11 his own role in the Willard matter, and suggesting that what happened to Willard was  
12 part of a grand conspiracy between Munnell, Barkell and Siemens. His quite  
13 extraordinary comments were as follows.  
14

15 .... The reason is that's because when they started, I will tell you, when they  
16 started first they told her that the reason she wasn't getting any tapes was because  
17 there was no tapes to do. She worried, okay and this was you know, and this was,  
18 frankly this all happened after Siemens was there. And she worried, and I said  
19 well you know let the supervisor know that you know you need some work. You  
20 got to let him know because well and then, so they told her that first this I'm  
21 going to do my best to remember. They first told her that and this is when they  
22 were switching her working from her home after doing is successfully in my mind  
23 for three, three and a half years, I was already, I was already gone and I truly  
24 believe, I'm just going to say it, that this is illegal conspiratorial act between  
25 Loretta Barkell and Frank Munnell, potentially Siemens. Siemens would do and  
26 say anything for Frank Munnell. And I think that, I believed that what they did to  
27 her is pure actionable retaliation. She was first told that they started drifting off  
28 not giving her tapes, telling her that there were no tapes, not true. (p. 57, Exhibit  
29 II16d)<sup>16</sup>  
30

31 Notwithstanding the foregoing, Hendershott's comments about Willard were as follows.  
32

33 A: I believe they hurt Lou to hurt me. Okay and turn this into something.  
34 Now I will state right now that based on my understanding what they've done.  
35 Lou Willard is not a stupid person and she had documentation about the way they  
36

---

<sup>16</sup> It should be noted that Munnell had no information relating to Lou Willard, and was not the individual who brought information about Willard's employment with MCSO to the attention of the PCSO investigative team. Further, it was not Barkell who made Willard an issue, but Terry Young. Hendershott kept claiming that what MCSO did to Willard was an "add-on" allegation that should be investigated as part of the subject investigation. Hendershott claimed that the County retaliated against Willard to hurt him. Hendershott was of the understanding, at that point in time, that Willard's job was being discontinued. In fact, she is presently working in the MCSO Human Resources section, and reportedly doing quite well.



1 said oh, well first it was you need to come down to internal and do stuff down  
2 here, then they told her, then they said your position has been done away with,  
3 okay, which is like, in other words, to do away with a person's position that has  
4 passed probation successfully, especially someone at her age for no reason that I  
5 was aware of. And I don't think she's ever received, I've never seen her  
6 appraisals ever, but this woman would die, just die, if she thought that her work  
7 was substandard. As a matter of fact, my impression of her and perhaps this is  
8 why it took so long, she was always worried if she was doing a good job or not.  
9 And I would say you know Lou you must be doing okay because nobody's  
10 complaining. But she would, she was so concerned that she wanted accuracy and  
11 how to spell things right and things like that that it probably did. And I'd say Lou  
12 just do it, it's the Detectives job or whoever's job to go over what you've said and  
13 then correct so if you miss it you don't have to spend a lot of time doing it but I  
14 think she was a little bit over concerned for her product okay, for her work  
15 product, nobody ever told me she was having trouble. (p. 58, Exhibit II16d)

16  
17 In any event, she was hired as a transcriptionist, got her work from IA, and did not work  
18 for any other department. According to Hendershott, he did give her assignments from  
19 time to time. He indicated that there was a "very, very long complicated transcript that  
20 she did but there were others." Hendershott denied that he had ever given her any  
21 work directly. Rather, all of the work she got went through IA.

22  
23 The tape that Hendershott recalled sending her was an entire day's meeting, from 8:30  
24 in the morning until 5:30 in the evening, and it was very complicated because there  
25 were 12 people in the meeting room.

26  
27 Hendershott claimed that "they" told her that there were no more transcripts to do, and  
28 Hendershott said that he knew that that could not be true. Hendershott indicated that  
29 Willard has since been transferred to MCSO Personnel, where she serves as a  
30 receptionist. He believes that she started working there the day after Thanksgiving,  
31 2010. Hendershott went on and on in the interview about what a "vicious" act it was by  
32 transferring Willard to MCSO Personnel. His quite astounding comments on this issue  
33 were as follows.

34  
35 A: Yeah and I haven't talked to her since and frankly you know and I can't  
36 tell you, this is the most mean vicious act that was born upon her because of me  
37 and I will tell you they never told me she was a problem and let me tell you  
38 something the idea about her cooking things that's the way, she if she would cook  
39 stuff they had to take it down to internal and the guy picking it up would take  
40 stuff down to internal. She took personal pride in finding out how did the Sheriff  
41 like the oatmeal cookies and when you live by yourself and you have nothing else  
42 to do and she, you know her tray I guess, she's an artist. And but you know that  
43 was the way she communicated with people that hey so she would bake and she  
44 would it was like this constant see of hey you might enjoy this, or you know and  
45 then she'd always want to know hey did the Sheriff like my cookies. And the

1 Sheriff's kind of funny, it was odd because every time there had been a cookie  
2 delivery I'd see more of the Sheriff during that day cause they'd always sit at the  
3 end of my conference table you know I always see the Sheriff everyday but I saw  
4 a lot of, walking, what you got there Dave? You know and I'd say you know  
5 what it's a cookie and she always made it with Splenda because I think she knew  
6 that my diabetes was an issue so and so... (pp. 60-61, Exhibit II16d)

7  
8 Hendershott confirmed that apart from the one eight hour tape that he had given her,  
9 there had not been any other assignments that he had directed to her through IA.

10  
11 When Hendershott was asked whether he had any of her artwork, Hendershott  
12 expressed outrage that the investigators would even ask such a question. His  
13 comments in this regard were as follows.

14  
15 A: That's cold. Yes, when Roger died she, her artwork, she gave us, me and  
16 one of the pieces we've had for fifteen years and after Roger died she had bad  
17 memories and she gave me some artwork and I brought them down and thought  
18 they looked great in my office and that is my opinion that's really beyond cheesy.  
19 (p. 61, Exhibit II16d)

20  
21 Hendershott was not aware, until advised by the team, that Ms. Willard did not make the  
22 first certification list. What he says is, "I communicated with Loretta Barkell and from  
23 that point on I don't know what happened." He did not know that she was hired off a  
24 later certification list that had been generated, on which her name did appear.

25  
26 Hendershott claimed that he was not aware that there was a transcription log in use that  
27 tracks transcription assignments that have been given to the IA transcriptionists.  
28 Hendershott was informed that the transcription log reflects that she was given 132  
29 hours of tape (in audio time) and that there a number of entries for which no times were  
30 listed. He was informed that 132<sup>17</sup> hours of tape was an absolute minimum.  
31 Hendershott then asserted that IA stopped giving her tapes when Siemens became the  
32 Lieutenant in IA.

33  
34 Hendershott claimed that he was never told about the amount of work that she got, or  
35 that there were any problems with the quality of her transcriptions.

36  
37 In the interview, Hendershott was asked to assume that Willard had gotten 150 hours of  
38 tape, a very liberal estimate, based on the documentation, and that a fair converter  
39 would have been for her to type one hour of audio in four hours transcription time, for a  
40 total of 600 hours to complete 150 hours of audio. Hendershott was then informed that

---

<sup>17</sup> The actual hours for Willard in the transcription log was slightly over 124 hours. Lt. Siemens was able to determine that an additional 8 hours of audio, which was not shown as assigned to any particular transcriptionist, had been given to Lou Willard. During the course of the interviews, two figures, 124 and 132 have been used, depending upon when the interviews were conducted relative to when Siemens determined, at the request of the PCSO team, that additional audio, 8 hours, were given to Ms. Willard.

1 Willard had been paid over 6800 hours during the course of her employment. When  
2 asked what she had been doing the rest of the time, Hendershott's comments were as  
3 follows.

4  
5 A: Waiting for people to bring her transcripts because here and I know for a  
6 fact that you know she would call and say hey I don't have any, I don't have any  
7 more work to do.

8  
9 Q: She would call you or call them?

10  
11 A: No, no she would call them and she would, and I believe at one time  
12 probably about a year ago she called and said I'm having trouble getting a call  
13 back okay but I'm out of work and I'm ready for more work. And I'm thinking  
14 God what are those guys doing, I'm thinking okay you know are they not  
15 delivering stuff. Nobody ever told me that this was an issue. If I'd have had the  
16 information I would have frankly if she couldn't do the job and it was causing,  
17 maybe there was something else she could have done. You know but nobody  
18 ever told me ever. I never had input for her evaluation and frankly I didn't worry  
19 about it, she's you know if I would talk to her socially she would talk to me about  
20 you know, oh this guy did this and that's when I would say let me ready it myself  
21 you know because... (p. 65, Exhibit III16d)

22  
23 When confronted with the fact that there was over 6200 hours of work for which there  
24 had been no account, Hendershott's comments were as follows, and he returned again  
25 to the conspiracy theory involving Munnell and Siemens.

26  
27 A: Okay, keep in mind the only job that she was given to do is to transcribe  
28 tapes that Internal Affairs had to give her okay if they didn't give her a tape  
29 alright she had nothing to do, nothing to do. So now based on nothing led me to  
30 believe that her work product and she was not being given work, my question is,  
31 it sounds to me like they purposely withheld work because they were concerned  
32 either about her speed, accuracy, or how long something would take. And that  
33 isn't the way to handle anything with any employee they should have said, I mean  
34 frankly the supervisor should have got off his butt and said this isn't good you  
35 know you're not pulling your weight and let me tell you if he'd have come in and  
36 said you know this isn't, this isn't working Chief okay or they'd have said this  
37 isn't working, she's really slow, she's really this, you know what then I would  
38 have probably figure out a way to soft land it because I am very concerned for her  
39 health because she takes it in such an unbelievable pride you know of work but if  
40 I would have known I would have dealt with it. It's a shame that they never came  
41 to me and told me this, my concern is based on Siemens association with Munnell  
42 and based on what I perceive as an absolute hatchet job on her, actionable beyond  
43 belief, and I really believe it's to, I really believe it was to get back at me because  
44 they knew that I personally cared and frankly my family loved this woman....(p.  
45 66, Exhibit III16d)

1  
2 When asked why she did not complete timesheets, Hendershott said that it was  
3 because the supervisors did not make them for her because she did not work in the  
4 office. When pointed out to him that she would be the only person who could accurately  
5 record what her hours were, Hendershott noted that she was a full-time employee  
6 working forty hours a week, and it was the supervisor's responsibility to keep her busy.  
7 Hendershott repeatedly, in the interview, wanted to blame what occurred on the  
8 supervisors, and he would not assume any blame himself, or consider that Willard had  
9 any responsibility for what transpired.

10  
11 Hendershott denied that it was a situation where, because he was the Chief Deputy, no  
12 one would ever come and say "this person sucks." (p. 68, Exhibit 1116d) As he put it,  
13 referring to the questioning investigator in the interview, "If you're trying to imply that  
14 nobody touched her because she was a friend of mine, shame on them and I'll tell you  
15 that is not the case, that is not the case." (p. 68, Exhibit 1116d)

16  
17 It was also pointed out then in her over three years of employment (prior to the time  
18 Hendershott went out on leave) she had never taken one hour of sick time. When  
19 asked if that was a typical pattern for employees, in his experience, Hendershott's  
20 answer was, "I don't know." (p. 68, Exhibit 1116d) He then offered the explanation that  
21 she worked when she was sick.

22  
23 When Hendershott continued blaming the issue on the supervisors, he was asked what  
24 might explain why these various individuals never brought the matter to his attention or  
25 to her attention. Hendershott's expansive, if rambling explanation was as follows.

26  
27 A: Well why in the world they wouldn't deal with her like they would deal  
28 with any other employee that wasn't doing a good job is a good question for them.  
29 Now I will tell you what the standard fair answer and what is happening here is I  
30 will tell you that Frank Munnell or somebody would say they were all afraid of  
31 me. The problem is, is that people that get to know me know they don't have  
32 anything to be afraid of okay and it doesn't hurt my feelings iota. I would, I  
33 would can my own son first off I wouldn't get involved okay but the point is, is if  
34 one of my sons did something and it was wrong, it is. Don Schneidmiller's son  
35 had some issues, and Don Schneidmiller who worked in personnel asked me if we  
36 could hire him. We did he had some issues and ultimately he left. Now Don, it  
37 embarrassed him, but he understood. It embarrassed him but he understood. And  
38 everybody likes to think that you know, frankly I think there is something in me,  
39 you know I'm proud of the fact that my oldest boy is doing what he's doing  
40 because the man that catches kiddy porn people, testifies in court, puts murder  
41 suspects together, I'm proud of that fact. That's something that any father would  
42 do but I will tell you that if my son, if I had, you see now, I want to be told if  
43 there's something wrong not because I would get involved with it or prevent but I  
44 want, I call it like it is but I'm going to tell you it's a real shame that if they were  
45 afraid of me, sometimes the rumors of me get so. I mean one of the main

1 comments that a lot of people make is you know it will be somebody that I never  
2 worked with before and ultimately they will end up working for me for a little  
3 while and they will say you know I always heard you were this big tough guy and  
4 you know and they would say you know you're funny, you screw around, you  
5 have a good time. I believe that I have, when the Sheriff is upset sometimes I  
6 would constantly try and frankly break the ice and crack a joke or something like  
7 that and just kind of ease things out with the staff and I think I've been the buffer  
8 for the Sheriff and believe me you have no idea how much I respect the Sheriff  
9 but it's a shame because and I will tell you sometimes people that like I never had  
10 Siemens work directly for me. But I'm really sad to hear that he did not, or he or  
11 whoever did not feel that they could bring this to my attention because I will  
12 assure you that it would have been handled had I been told. Now this whole thing  
13 about amount of hours and any of that, first off if I'd have known about it I would  
14 have said whoa wait a minute this is you know she's not doing right, you know  
15 are you giving her work that would be the first question. Well does she have  
16 work? (pp. 69-70, Exhibit II16d)

17  
18 When asked whether Hendershott had ever called any of the Lieutenants or other  
19 personnel in IA, in advance of preparation of her performance evaluation, and instructed  
20 them to be good to her, to treat her kindly, or to give her a favorable performance  
21 evaluation, Hendershott's comments were as follows.

22  
23 A: I can tell you that I did speak with at least the Commander and let him  
24 know my concerns for her medical status and I would have expressed you know  
25 everything I said to you before and that this was a person that we brought on, and  
26 she's doing transcripts from home and that frankly my concerns for her  
27 potentially being [REDACTED] and understand why are we basically taking tape  
28 recordings and putting them on a location in a garage and then magically they  
29 would come back transcribed and there would only be communication by  
30 telephone and it's because of her medical issues.

31  
32 Q: And who did you speak with about that, you said the Commander but...

33  
34 A: Well, I think that, I think I spoke to Travis Anglin, I think is spoke to Paul  
35 Ellis, and I think I spoke to Siemens because when they first got the position and I  
36 know that the Commander over there, I wanted them to understand what the issue  
37 was with her medically. Medically, so, but you know I never ever said oh we got  
38 to be nice to this lady. No I would never call someone in and say oh be nice or be  
39 mean okay my concern was is to explain what the circumstances are because of  
40 the condition that these things were taken over. (p. 71, Exhibit II16d)

41  
42 As to the issue of whether it was appropriate to have Lieutenants function as errand  
43 persons, basically going to Willard's house to drop off and pick up work, the following  
44 exchange took place in the interview.  
45

1 Q: Last but not least I just wanted to ask you about the particular  
2 accommodation that was made for her. It seems to me that a person who's  
3 looking at the set of facts that we have here would say my goodness you're  
4 having a Lieutenant and a series of Lieutenants basically who've worked in IA on  
5 the admin side, taking tapes out to her and picking up transcripts, whether they  
6 lived in the same general neighborhood as her or not, she's a transcriptionist, your  
7 Lieutenants get paid beau coup bucks, and they have other things to do besides  
8 being delivery boys for tapes and transcripts, it strikes me as something that  
9 requires an explanation.

10  
11 A: Sure. Nobody's a prima donna everybody that took stuff to her lived out  
12 in that direction, sometimes it was, at times it was a Sergeant it was not out of the  
13 way it was an accommodation and a Lieutenant that felt above dropping  
14 something off on his way home I would say is being irresponsible because I'll tell  
15 you there's no prima donnas in this office. I've said this a million times, the  
16 Sheriff is the Sheriff and the rest of us all scrub the toilets. Are you telling me  
17 that a Lieutenant is put out because he has to take a detour on his way home to  
18 drop something off? You know what I would say well and I mean this with all  
19 sincerity, and frankly I think in some essence I sense you're being a little bit  
20 rhetorical to draw the answer out but I will tell you I feel very comfortable with  
21 the fact that sometimes accommodations need to be made. Other  
22 accommodations for other employees have been made and so you know if a  
23 Lieutenant particularly doesn't like it well you know that's too bad, that's just too  
24 bad because frankly dropping tapes off, we could have mailed them. You know  
25 not a big deal, we could have mailed them, we could have sent them by certified  
26 mail. But frankly the way it was set up to deliver and bring back the tapes I just, I  
27 frankly I thought okay nobody ever said God I hate delivering these tapes or I feel  
28 put out because I have to deliver these tapes, anybody could have done it. (pp.  
29 71-72, Exhibit II16d)  
30